

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
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Civil Action# 17-CV-03081

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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/11/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

Synopsis: DMV photos and information.

Enclosure(s): Information received from Pennsylvania DOT for  
TIMOTHY FRANCIS DONAGHY [redacted]

Details: Driver's information and photos were received from the  
Pennsylvania Department of Transportation for the following two  
individuals:

1. TIMOTHY FRANCIS DONAGHY

[redacted]  
PA DRIVER'S LICENSE # [redacted]  
[redacted]

2. [redacted]

These individuals no longer reside in Pennsylvania and  
their licenses have expired.

♦♦

[redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 16 2007	
FBI NEW YORK	

[redacted]

DONAGHY-371

Donut Upload

b7E -9  
b6 -1  
b7C -1

b7A -1

b6 -2  
b7C -2  
b7E -8

b6 -3  
b7C -3

b6 -2  
b7C -2

b6 -3  
b7C -3

b7A -1

b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/06/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

b7A -1

Title: [redacted]

b6 -2  
b7C -2  
b7E -8

Synopsis: Phone call from [redacted] on 05/08/2007.

Enclosure(s): Compact Disc containing recording of phone message left by [redacted] on 05/08/2007.

b6 -2  
b7C -2

Details: On 05/08/2007 at approximately 1:09 p.m., a phone message from [redacted] was left on the cell phone of SA [redacted].

b6 -1, 2  
b7C -1, 2

The message was [redacted]

called from telephone number [redacted]

On 05/08/2007, at approximately 2:42 p.m., Special Agent [redacted] dialed [redacted] and spoke with [redacted]. During the conversation, [redacted] stated that he thought the Agent had earlier called him. Agent [redacted] stated that he hadn't. [redacted] and the Agent then had a brief conversation about how anything involving the Grand Jury Subpoena will have to be handled by [redacted] attorney and the AUSA.

b6 -1, 2  
b7C -1, 2

[redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

♦♦

6/6/07

[redacted]

b7A -1

SEARCHED INDEXED  
SERIALIZED FILED

JUN 06 2007

DONAGHY-386

FBI - NEW YORK

b6 -1, 2  
b7C -1, 2

[redacted] phone call. 5-08



# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/24/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: "OPERATION FLAGRANT FOUL"

Synopsis: To change case title.

Details: [redacted]

b7E -9  
b6 -1  
b7C -1

b7A -1

b7E -8

(X) pmt

b6 -2  
b7C -2  
b7E -8

[redacted] The new title will be OPERATION FLAGRANT  
FOUL; [redacted]

♦♦

b7A -1

SEARCHED	INDEXED
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JUL 24 2007	
[redacted] YORK	

b6 -1  
b7C -1

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DONAGHY-387

Attache SC, 7-24-07

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/17/2007

To: New York

From: New York

Contact: SA [redacted] BQMRA

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: OPERATION FLAGRANT FOUL

Synopsis: Arrest and plea of TIMOTHY DONAGHY.

Enclosure(s): Copy of Information, fingerprint card and arrest photos.

Details: On 08/15/2007, TIMOTHY FRANCIS DONAGHY, date of birth [redacted] surrendered to the FBI for arrest. DONAGHY was processed and subsequently pled to an Information. DONAGHY pled to the two charges in the Information, to wit, 18 U.S.C. 1349 (Conspiracy to Commit Wire Fraud) and 18-U.S.C.-371. (Conspiracy to Transmit Wagering Information.). DONAGHY was released on bond.

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1

①  
PNA

b6 -2  
b7C -2

b7A -1

UPLOADED 8/22/07 pth

SEARCHED	INDEXED
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AUG 17 2007	
[redacted] YORK	

DONAGHY-388

b6 -1  
b7C -1

Donaghy Information 8-15-07

TJS:JAG  
F.#2007R00092

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

TIMOTHY DONAGHY,

Defendant.

- - - - - X

I N F O R M A T I O N

Cr. No. 07-587 (CBA)  
(T. 18, U.S.C., §§ 371  
981(a)(1)(C), 1349 and  
3551 et seq.; T. 21,  
U.S.C., § 853(p); T. 28,  
U.S.C., § 2461(c))

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

At all times relevant to this Information, unless  
otherwise indicated:

1. The National Basketball Association ("NBA"), which  
was founded in 1946 and has its headquarters in New York City, is  
a global sports and entertainment organization that includes,  
among other things, a men's professional basketball league of 30  
teams located in major metropolitan areas throughout the United  
States and Canada. The NBA team owners, management, and players  
operate under the terms and conditions set by their agreements  
with the NBA.

2. The NBA employs approximately 60 referees who  
officiate pre-season, regular season, and playoff games between  
NBA teams. Each game has an officiating crew of three referees.  
NBA referees are subject to a collective bargaining agreement and

to rules of conduct set by the NBA. Those rules of conduct require that NBA referees conduct themselves according to the highest standards of honesty, integrity, and professionalism, as well as refrain from any conduct that might impair the faithful and thorough discharge of their duties.

3. NBA referees are also subject to several levels of review. For example, for each game, reports completed by the crew chief, who is typically the senior member of the officiating crew, are transmitted electronically to the NBA's Basketball Operations Division. NBA rules require game reports to be "complete and accurate," and to reflect, among other things, any referee misconduct.

4. Among other things, NBA referees are prohibited from having any involvement in sports betting or bookmaking.<sup>1</sup> In particular, NBA referees are prohibited from placing bets on NBA games and from providing information to others for the purpose of assisting them to place bets.

5. As a matter of policy and practice, the NBA does not disclose the identities of an officiating crew to the public, or to NBA teams, until game time. The NBA creates master referee schedules setting forth the officiating crews for upcoming NBA games. These schedules are not disclosed to the public or to NBA

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<sup>1/</sup> The only exception to this rule is that NBA referees are permitted during the NBA off-season to place bets on horse races at racetracks, where legal.

teams. NBA referees are prohibited from disclosing upcoming referee assignments and other proprietary NBA information. Also, NBA referees are prohibited from engaging in other employment without permission of the NBA.

6. During the NBA season, professional bookmakers predict the team favored to win each NBA game and set a point spread by which the favorite is expected to win. This prediction is also referred to as the "betting line." If a bettor selects the favored team, the bettor wins if that team wins the game by the predicted point spread or by a greater number of points. If a bettor selects the team that is not favored, the bettor wins if that team wins the game or loses by a lesser number of points than the predicted point spread.

7. For the past 13 years, up to and including the 2006-2007 NBA season, the defendant TIMOTHY DONAGHY was an NBA referee. Approximately four years ago, DONAGHY began placing bets on NBA games, including games he officiated. Beginning in approximately December 2006, DONAGHY began to receive cash payments in exchange for providing betting recommendations or "picks" on NBA games, including games he officiated, to individuals involved in the business of sports betting.

12. It was further part of the conspiracy that DONAGHY used a telephone to contact his coconspirators to provide his picks for certain NBA games. Those communications were sometimes made in coded language.

13. It was further part of the conspiracy that in determining his picks for certain NBA games, DONAGHY would rely on, among other things, nonpublic and other information to which he had unique access by virtue of his position as an NBA referee. This information included his knowledge of (a) the officiating crews for upcoming NBA games, (b) the interactions between certain referees and certain players and team personnel, and (c) the physical condition of certain players. DONAGHY also compromised his objectivity as a referee because of his personal financial interest in the outcome of NBA games. In addition, DONAGHY concealed this scheme from the NBA and other referees in order to prevent its detection.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT TWO

(Conspiracy to Transmit Wagering Information)

14. On or about and between December 1, 2006 and April 30, 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant TIMOTHY DONAGHY, together with others, being engaged in the business of betting and wagering, did knowingly and

COUNT ONE  
(Conspiracy to Commit Wire Fraud)

8. The allegations of paragraphs one through seven are realleged and incorporated as if fully set forth in this paragraph.

9. On or about and between December 1, 2006 and April 30, 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant TIMOTHY DONAGHY, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud the NBA by depriving the NBA of the intangible right of honest services, and for the purpose of executing such scheme and artifice, transmitted and cause to be transmitted writings, signals and sounds by means of wire communication in interstate and foreign commerce, in violation of Title 18, United States Code, Sections 1343 and 1346.

10. It was part of the conspiracy that as to certain NBA games, including games he officiated, DONAGHY provided a pick to his coconspirators as to which team should be bet.

11. It was further part of the conspiracy that DONAGHY received payment from his coconspirators for each correct pick. DONAGHY was not paid for an incorrect pick.

intentionally conspire to use a wire communication facility, to wit: a telephone, for the transmission in interstate and foreign commerce of bets and wagers and information assisting in the placing of bets and wagers on sporting events and contests, in violation of Title 18, United States Code, Section 1084.

OVERT ACTS

15. In furtherance of this conspiracy and in order to accomplish the objectives thereof, DONAGHY, together with others, committed and caused to be committed, among others, the following overt acts:

a. On or about December 13, 2006, DONAGHY spoke with a coconspirator by telephone regarding his pick for an NBA game.

b. On or about December 14, 2006, DONAGHY met with coconspirators in Pennsylvania and received a cash payment.

c. On or about December 26, 2006, DONAGHY spoke with a coconspirator by telephone regarding his pick for an NBA game.

d. On or about March 11, 2007, DONAGHY had a meeting with a coconspirator in Toronto, Canada, and received a cash payment.

(Title 18, United States Code, Sections 371 and 3551 et seq.)



CRIMINAL FORFEITURE ALLEGATION

16. The United States hereby gives notice to the defendant TIMOTHY DONAGHY that upon his conviction of Count One charged in this Information, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense, including, but not limited to, the following:

MONEY JUDGMENT

17. A sum of money equal to thirty thousand dollars in United States currency (\$30,000.00).


18. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be divided without difficulty;  
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 28, United States Code, Section 2461(c);  
Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p))

  
ROSLYNN R. MAUSKOPF  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/17/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted] *[Signature]*

Drafted By: [redacted] *[Signature]*

Case ID #: [redacted] (Pending) [redacted]

b7A -1  
*[Signature]*

Title: OPERATION FLAGRANT FOUL

Synopsis: To reassign case [redacted] to SA [redacted]

b6 -1  
b7A -1  
b7C -1

Details: Due to the current nature of the investigation, it is requested that case [redacted] be transferred from SA [redacted] to SA [redacted]

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[redacted]

b7A -1

b6 -1  
b7C -1

SEARCHED	INDEXED
SERIALIZED <i>plh</i>	FILED <i>plh</i>
AUG 17 2007	
NEW YORK	
<i>[Signature]</i>	

DONAGHY-401

*reassign, ec*

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 08/20/2007

To: New York

From: New York

Contact: SA [redacted]

BOMRA

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: OPERATION FLAGRANT FOUL

Synopsis: Guilty plea of TIMOTHY DONAGHY.

Enclosure(s): Transcript of plea dated 08/15/2007.

Details: On 08/15/2007, TIMOTHY DONAGHY pled guilty in the above-captioned matter. Attached for the file is a copy of the plea proceedings.

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b6 -1  
b7C -1

b7A -1

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PMT

b7A -1

b6 -1  
b7C -1

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AUG 21 2007	
FBI NEW YORK	

DONAGHY-402

T:\pttranscript.upd + dplea07.upd

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
UNITED STATES OF AMERICA : CR-07-587 (CBA)  
-against- : U.S. Courthouse  
TIMOTHY DONAGHY, : Brooklyn, New York  
DEFENDANT, :  
August 15, 2007  
----- X 9:00 o'clock a.m.

TRANSCRIPT OF PLEADING  
BEFORE THE HONORABLE CAROL B. AMON  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government: ROSLYNN R. MAUSKOPF  
United States Attorney  
147 Pierrepont Street  
Brooklyn, New York 11201  
BY: THOMAS SEIGEL  
JEFFREY GOLDBERG  
Assistants U.S. Attorney

For the Defendant: JOHN LAURO, ESQ.

Court Reporter: SHELDON SILVERMAN  
Official Court Reporter  
225 Cadman Plaza East  
Brooklyn, New York 11201  
(718) 613-2537

Proceedings recorded by mechanical stenography. Transcript  
Produced By Computer Aided Transcription.

1 THE CLERK: United States versus John Doe.

2 Please state your appearances for the record.

3 MR. SEIGEL: Thomas Seigel and Jeffrey Goldberg.

4 Good morning.

5 MR. LAURO: John Lauro on behalf of Mr. Donaghy.

6 THE COURT: Good morning.

7 Counsel, do you have an application?

8 MR. SEIGEL: Yes, your Honor. We previously filed  
9 a 7-B notice that the defendant will be waiving indictment and  
10 consenting to proceed by information. We expect a guilty plea  
11 this morning.

12 THE COURT: You handed up the information.

13 I have both the information and a signed waiver of  
14 indictment, correct?

15 MR. LAURO: That's correct.

16 THE COURT: Mr. Donaghy, I'm told you wish to do  
17 two things this morning; first, to waive indictment and permit  
18 the government to file a felony information; and, second, to  
19 enter a guilty plea today on that information; is that  
20 correct?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: These are very serious decisions. I  
23 have to make sure that you understand all of your rights in  
24 connection with both the waiver and the plea. That means that  
25 I will have to ask you a whole series of questions in order to

1 assure myself I should accept the waiver and accept the plea.

2 I require that your answers to my questions be made  
3 under oath. My courtroom deputy will administer an oath.

4 T I M O T H Y D O N A G H Y,

5 having been duly sworn/affirmed, was examined  
6 and testified as follows:

7 THE COURT: Having been sworn to tell the truth,  
8 you must do so. If you were to lie on purpose in response to  
9 any question that I asked, you could face a further charge for  
10 perjury; do you understand that?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: If there's anything at all that I say  
13 that you don't understand, just tell me that you don't  
14 understand it. I'll try to make it plainer, okay?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: How old are you?

17 THE DEFENDANT: 40.

18 THE COURT: How far in school did you go?

19 THE DEFENDANT: College degree.

20 THE COURT: Are you presently or have you recently  
21 been under the care of a doctor, including a psychiatrist for  
22 any reason?

23 THE DEFENDANT: Yes.

24 THE COURT: What are you under a doctor's care for?

25 THE DEFENDANT: Gambling addiction.

1 THE COURT: In connection with that, are you taking  
2 any kinds of medication?

3 THE DEFENDANT: Yes.

4 THE COURT: What type of medication are you taking?

5 THE DEFENDANT: Antidepressant and anxiety pills.

6 THE COURT: Have you taken those medications in the  
7 last 24 hours?

8 THE DEFENDANT: Yes, I did.

9 THE COURT: Do any of those medications interfere  
10 with your ability to think clearly?

11 THE DEFENDANT: No, ma'am.

12 THE COURT: Is your mind clear as you stand here  
13 today?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Counsel, have you discussed both the  
16 question of waiving indictment and entering a guilty plea with  
17 your client?

18 MR. LAURO: I have.

19 THE COURT: In your view, does he understand the  
20 rights he's waiving in connection with those proceedings?

21 MR. LAURO: He does.

22 THE COURT: Do you have any doubt about his  
23 competency to proceed?

24 MR. LAURO: No.

25 THE COURT: Mr. Donaghy, have you had enough time



1 to discuss with your attorney these two decisions to waive  
2 indictment and to enter a guilty plea?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Are you satisfied to have him represent  
5 you?

6 THE DEFENDANT: Yes.

7 THE COURT: The first matter that we have to take  
8 up is waiving indictment. The government has placed before  
9 the court an information. It contains two felony charges, a  
10 conspiracy to engage in wire fraud and a conspiracy to  
11 transmit wagering information in interstate commerce, having  
12 been involved in the business of betting and wagering.

13 Have you read over the information that's before the  
14 court?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: I'm told that you wish to waive  
17 indictment and permit the government to file this information.  
18 I just want to make sure that you understand what rights  
19 you're waiving in connection with this.

20 The government cannot come to court and simply file  
21 a document that has two felonies in it in the form of an  
22 information unless you agree to that; do you understand that?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: What they would have to do, if you  
25 didn't agree to it, is they would have to present evidence to

1 a grand jury. A grand jury is a body of 23 citizens. They  
2 would have to persuade a majority of the members of the grand  
3 jury that there was probable cause to believe that you  
4 committed these two offenses.

5 If the government persuaded the grand jury that  
6 there was probable cause, they would return the charges in the  
7 form of an indictment. If the grand jury found there was no  
8 probable cause, then no charges would be brought.

9 Do you understand that?

10 THE DEFENDANT: Yes.

11 THE COURT: When you waive indictment, what you're  
12 doing is simply letting the government come to court, as I  
13 said, and file the charges and giving up your right to have  
14 the grand jury determine whether those charges should be  
15 brought; do you understand that?

16 THE DEFENDANT: Yes.

17 THE COURT: I should tell you as well that when I  
18 say these are felony charges, they carry serious penalties.

19 The first count has a maximum prison term of  
20 20 years, supervised release term of three years, a maximum  
21 fine of \$250,000, a special assessment of \$100 and criminal  
22 forfeiture.

23 The second count has a term of imprisonment of five  
24 years, supervised release term of three years, a fine of  
25 \$250,000 and a \$100 special assessment.

1 Both counts may also involve some form of  
2 restitution.

3 Because there are two separate counts, the court,  
4 under the law, would have the power to sentence consecutively;  
5 in other words, to add those all up.

6 Do you understand that?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Do you wish to waive indictment?

9 THE DEFENDANT: Yes.

10 THE COURT: This has been signed. The waiver in  
11 front of the court has been signed by you as well, Mr. Lauro?

12 MR. LAURO: Yes.

13 THE COURT: I'll accept the waiver.

14 We'll turn to the plea. First of all, again, I  
15 asked you earlier if you had read over the charges. You have;  
16 is that correct?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: Has your attorney explained to you what  
19 it is that the government would have to prove and by proof  
20 beyond a reasonable doubt in support of those charges?

21 THE DEFENDANT: Yes.

22 THE COURT: In that case, I'm just going to  
23 summarize the charges for you.

24 In Count One, it charges that on or about and  
25 between December 1st, 2006 and April 30th, 2007, both dates

1 being approximate and inclusive, that the defendant Timothy  
2 Donaghy with others did knowingly and intentionally conspire  
3 to devise a scheme and artifice to defraud the NBA, by  
4 depriving the NBA of the intangible right of honest services  
5 and the purpose of executing such scheme and artifice,  
6 transmitted and caused to be transmitted writing, signals, and  
7 sounds by means of wire communication in interstate and  
8 foreign commerce.

9           It goes on to say it was a part of the conspiracy  
10 that as to certain NBA games, including games he officiated,  
11 Donaghy provided a pick, which is defined elsewhere in the  
12 indictment as to his coconspirators as to which team should be  
13 bet.

14           It was a further part of the conspiracy Donaghy  
15 received payment from his coconspirators for each correct  
16 pick. Donaghy was not paid for an incorrect pick.

17           It was further a part of the conspiracy that Donaghy  
18 used a telephone to contact his coconspirators to provide his  
19 picks for certain NBA games. These communications were  
20 sometimes in coded language.

21           It was further a part of the conspiracy that in  
22 determining his picks for certain NBA games, Donaghy would  
23 rely on, among other things, nonpublic and other information  
24 to which he had unique access by virtue of his position as an  
25 NBA referee. This information included his knowledge of the

1 officiating crews for upcoming NBA games, the interactions  
2 between certain referees and certain players and team  
3 personnel, and the physical condition of certain players.  
4 Donaghy also compromised his objectivity as a referee because  
5 of his personal financial interest in the outcome of NBA  
6 games.

7 In addition, Donaghy concealed the scheme from the  
8 NBA and other referees in order to prevent its detection.

9 What the government would have to prove is, first,  
10 that two or more persons entered into the unlawful agreement  
11 charged in Count One and that was to devise a scheme and  
12 artifice to defraud the NBA by providing it of the intangible  
13 right of honest services; second, that you knowingly and  
14 intentionally became a member of that conspiracy.

15 The charge or the crime that is the object of that  
16 conspiracy, as I noted, was a wire fraud. That has certain  
17 elements and those include that there was a scheme and  
18 artifice to defraud; that the scheme was for the purpose of  
19 depriving another of the intangible right to honest services  
20 and that the misrepresentation or omission was material and  
21 that there was the use of wires in furtherance of the scheme.

22 Let me ask you, sir, do you believe you understand  
23 the charge that is contained in Count One?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Turning to Count Two, Count Two says

1 that on or about and between December 1st, 2006 and  
2 April 30th, 2007, that the defendant Timothy Donaghy, with  
3 others, engaged in the business of betting and wagering,  
4 knowingly and intentionally conspired to use a wire  
5 communications facility, to wit, a telephone for the  
6 transmission in interstate and foreign commerce of bets and  
7 wagers and information assisting in the placing of bets and  
8 wages on sporting events and contests in violation of  
9 Title 18, United States Code Section 1084.

10 In furtherance of this conspiracy and to accomplish  
11 the objectives thereof, the indictment goes on to allege that  
12 you and others committed the following overt acts.

13 A, On or about December 13th, 2006, you spoke with a  
14 coconspirator by telephone regarding your pick for an NBA  
15 game.

16 B, On or about December 14, 2006, it alleges that  
17 you met with coconspirators in Pennsylvania and received a  
18 cash payment.

19 C, On or about December 26th, 2006, you spoke to a  
20 coconspirator by telephone regarding his pick for an NBA game  
21 and the last overt act that's alleged is that on or about  
22 March 11th, 2007, you had a meeting with a coconspirator in  
23 Toronto, Canada and received a cash payment.

24 The elements of this particular offense that the  
25 government would have to prove in support of this charge is,

1 first of all, that two or more persons entered into the  
2 unlawful agreement that's charged in Count Two which is by  
3 engaging in the business of betting, conspired to use a wire  
4 communications facility for the transmission of bets and  
5 information assisting in the placing of bets on sporting  
6 events;

7 Second; that you became a knowing and intentional  
8 member of that conspiracy;

9 Third, that the members of the conspiracy committed  
10 at least one overt act that's charged in the indictment and  
11 that the overt act furthered some objective of the conspiracy.

12 Do you understand Count Two and what the government  
13 has to prove in support of Count Two?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: What I want to review with you now are  
16 your rights in connection with these proceedings. These will  
17 be rights that you give up if you decide to plead guilty.

18 First of all, you have a right to plead not guilty  
19 to these charges; do you understand that?

20 THE DEFENDANT: Yes.

21 THE COURT: If you plead not guilty to these  
22 charges, you have a right under the Constitution and laws of  
23 the United States to a speedy and public trial before a jury  
24 with the assistance of your attorney; do you understand that?

25 THE DEFENDANT: Yes.

1 THE COURT: At any trial you would be presumed  
2 innocent. You wouldn't have to prove you were innocent. It  
3 is the government that has the burden of proof and that is  
4 proof beyond a reasonable doubt that you're guilty of the  
5 crime charged. If the government failed in that burden of  
6 proof, the jury would have the duty to find you not guilty; do  
7 you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: In the course of a trial, witnesses for  
10 the government would have to come here to court and testify in  
11 your presence. Your lawyer would have the right to cross  
12 examine those witnesses. He could raise legal objections to  
13 evidence the government sought to offer against you and could  
14 offer evidence in your behalf; do you understand that?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: At trial you would have the right to  
17 testify in your own behalf if you wanted to. On the other  
18 hand, you could not be forced to be a witness at your trial.  
19 Under the Constitution and laws of the United States, no  
20 person can be made to be a witness against himself.

21 If you wanted to go to trial but you decided not to  
22 testify, I would tell the jury they could not hold that  
23 against you; do you understand that?

24 THE DEFENDANT: Yes.

25 THE COURT: If, instead of going to trial, you



1 plead guilty to the crimes charged and if I accept that guilty  
2 plea, you'll be giving up your right to a trial and all the  
3 other rights I've just discussed. There will be no trial in  
4 this case and no right to any appeal on the question of  
5 whether you did or did not commit the crime. I simply enter a  
6 judgment of guilty based upon your plea; do you understand  
7 that?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: If you do plead guilty, I'm going to  
10 have to ask you questions about what you did in order to  
11 satisfy myself that you are guilty of the charges. You're  
12 going to have to answer my questions and admit your guilt.  
13 This means you will be giving up your right not to incriminate  
14 yourself; do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: Are you willing to give up your right  
17 to a trial and the other rights I've discussed with you?

18 THE DEFENDANT: Yes.

19 THE COURT: I understand from the government there  
20 is an agreement with respect to this plea; is that correct?

21 MR. SEIGEL: That's correct.

22 THE COURT: It should be marked  
23 Government Exhibit 1, the agreement put before the court?

24 MR. SEIGEL: Yes.

25 THE COURT: Does the government represent what I've

1 marked as Government Exhibit 1 handed to this court contains  
2 the entirety of any understanding that your office has reached  
3 with this defendant?

4 MR. SEIGEL: It does, your Honor.

5 THE COURT: Mr. Lauro, is that your understanding  
6 as well?

7 MR. LAURO: It is.

8 THE COURT: Mr. Donaghy, did you read over this  
9 agreement?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: Did you discuss it with your lawyer?

12 THE DEFENDANT: Yes, I did.

13 THE COURT: Do you believe that you understand the  
14 provisions of the agreement?

15 THE DEFENDANT: Yes.

16 THE COURT: Is there anything at all in this  
17 agreement that is not clear that you need explained in any  
18 further detail?

19 THE DEFENDANT: No, ma'am.

20 THE COURT: Has the government made some other  
21 promise to you that is not contained in this agreement?

22 THE DEFENDANT: No.

23 THE COURT: What I want to do now is go over the  
24 penalties for each of the offenses that you're pleading guilty  
25 to.

1           Turning, first, to the wire fraud conspiracy in  
2 Count One, the maximum prison term for that offense is  
3 20 years; do you understand that?

4           THE DEFENDANT: Yes, ma'am.

5           THE COURT: When the court imposes a prison term,  
6 I'm required to follow that prison term by a period of what is  
7 called supervised release. In this case, the maximum period  
8 of supervised release is three years.

9           When you're on supervised release, your conduct is  
10 governed by certain conditions and were you to violate any of  
11 the terms or conditions of your supervised release, I could  
12 send you back to prison for two full years without giving you  
13 any credit for the time you spent on supervised release; do  
14 you understand that?

15          THE DEFENDANT: Yes, ma'am.

16          THE COURT: There are financial penalties  
17 associated with this offense. The maximum fine is \$250,000  
18 and there is a mandatory \$100 special assessment which means  
19 that I have to impose that \$100 special assessment; do you  
20 understand that?

21          THE DEFENDANT: Yes.

22          THE COURT: There's also restitution here,  
23 Mr. Seigel?

24          Do you know what that amount of the restitution  
25 would be?

1 MR. SEIGEL: We don't have a figure at this time.  
2 It's simply possible under the statute, Judge, but that is  
3 something that we don't have an estimate on.

4 THE COURT: Do you believe you will by the time of  
5 sentencing?

6 MR. SEIGEL: We'll certainly provide all relevant  
7 information to the Probation Department for their  
8 determination of the presentence report.

9 THE COURT: What you should understand,  
10 Mr. Donaghy, is that this is an offense that provides for  
11 restitution. If there is a restitution amount that can be  
12 calculated, the court is required to impose the amount of  
13 restitution if it can be reasonably calculated; do you  
14 understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: On the second count of the indictment,  
17 which is the conspiracy to engage in the transmission of bets,  
18 that carries a maximum prison term of five years; do you  
19 understand that?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: Again, there's the same supervised  
22 release term, maximum of three years. The same conditions I  
23 explained to you before are true here as well. In other  
24 words, if you violate, you could you could go back to prison  
25 for two years; do you understand that?

1 THE DEFENDANT: Yes.

2 THE COURT: The fine here is the same, \$250,000,  
3 and there is, as well, the possibility for restitution; do you  
4 understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: Again, there's the \$100 special  
7 assessment; do you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: Technically, because there are two  
10 different and two separate charges, the court under the law  
11 can sentence consecutively which would make, for instance, the  
12 maximum prison term that you face 25 years; do you understand  
13 that?

14 THE DEFENDANT: Yes.

15 THE COURT: Of course, the fines could be doubled;  
16 a half million dollars and the special assessments must be  
17 consecutive. Your special assessments by pleading guilty to  
18 two counts would in fact be \$200.

19 Do you understand that?

20 THE DEFENDANT: Yes.

21 THE COURT: One of the important factors that the  
22 court has to consider in determining an appropriate sentence  
23 is what the sentencing guidelines are. They're no longer  
24 mandatory. In other words, I'm not required to impose a  
25 guideline sentence, but they are an important factor in the

1 determination of your sentence.

2 Have you discussed sentencing guidelines with your  
3 counsel and how they're calculated?

4 THE DEFENDANT: Yes.

5 THE COURT: Does the government have an estimate to  
6 the guideline range here?

7 MR. SEIGEL: We do not, Judge.

8 THE COURT: Mr. Donaghy, let me explain something  
9 to you. I don't know whether your attorney has told you about  
10 what his belief as to what the guidelines estimate might be,  
11 but what you should understand is the court's final  
12 determination as to what the guideline range is. You can't  
13 rely on any estimates that you may have heard from someone at  
14 this point in time because it is my responsibility to make  
15 that determination. I simply do not have enough information  
16 before me now in order to make that determination. I won't  
17 have that until the time that your presentence report is  
18 filed, the Probation Office calculates what they believe your  
19 guideline range is. If the government or your counsel thinks  
20 it's wrong, they can bring that to the court's attention.

21 There's a whole process that has to be gone through  
22 before I can determine your guideline range. If anyone has  
23 given you an estimate, you can't rely on it; do you understand  
24 that?

25 THE DEFENDANT: Yes.

1 THE COURT: You should also understand under the  
2 federal sentencing system, there are no parole boards or  
3 parole commissions. What that means practically is that  
4 whatever sentence you were to receive from the court would be  
5 pretty close to the actual amount of time that you would have  
6 to spend in prison. You don't have the opportunity to appeal  
7 to any parole board to get out early. There are no parole  
8 boards in this system. Do you understand that?

9 THE DEFENDANT: Yes.

10 THE COURT: Finally, if you enter guilty pleas  
11 today, your guilty pleas will stand. You cannot come back to  
12 court at the time of sentence and tell me that you changed  
13 your mind, that you want to go to trial. At that point it's  
14 too late; do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: It's for that reason I want to ask you  
17 now, Mr. Donaghy, do you have any question that you want to  
18 ask me about the charge, your rights or anything else related  
19 to this matter that might not be clear?

20 THE DEFENDANT: No, ma'am.

21 THE COURT: Counsel, do you know of any reason why  
22 your client should not enter pleas of guilty to these charges?

23 MR. LAURO: No, your Honor.

24 THE COURT: Mr. Donaghy, are you ready to plead?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: How do you plead to the charge in Count  
2 One of the information, guilty or not guilty?

3 THE DEFENDANT: Guilty.

4 THE COURT: How do you plead to the charge in Count  
5 Two of the information, guilty or not guilty?

6 THE DEFENDANT: Guilty.

7 THE COURT: Are you making these pleas of guilty  
8 voluntarily and of your own free will?

9 THE DEFENDANT: Yes.

10 THE COURT: Has anyone threatened, forced or  
11 pressured you in any way to plead guilty?

12 THE DEFENDANT: No.

13 THE COURT: Other than the agreement with the  
14 government, has anybody made you any promises that have caused  
15 you to plead guilty?

16 THE DEFENDANT: No, ma'am.

17 THE COURT: Has anyone promised you what your  
18 sentence would be?

19 THE DEFENDANT: No, ma'am.

20 THE COURT: I need to hear from you, in your own  
21 words, what you did in connection with the crimes charged.

22 Let's just turn to Count One.

23 MR. LAURO: Your Honor, I think Mr. Donaghy's  
24 allocution may include both counts, if that's satisfactory?

25 THE COURT: All right.



1           THE DEFENDANT:   In December, 2006, I was employed  
2 as a referee with the National Basketball Association. As an  
3 employee, I was subject to rules of conduct established by the  
4 NBA, including a prohibition on betting on professional  
5 sporting events. In addition, as a referee, I was given  
6 access to master referee schedules that included the  
7 identities of officiating crews for particular games. This  
8 information was confidential and not available to the general  
9 public. I also was aware of the manner in which officials  
10 interacted with players and called games as well as the  
11 condition of players prior to a game. By having this  
12 non-public information, I was in a unique position to predict  
13 the outcome of NBA games.

14           Beginning in December, 2006 until about April, 2007,  
15 I agreed with other individuals to use this non-public  
16 information in order to pick NBA teams that I predicted would  
17 win particular games and also cover the point spreads set by  
18 professional bookmakers. As part of our agreement, others  
19 would in turn use my picks in order to place bets with  
20 bookmakers on the teams I had selected. I received cash  
21 payments for successful picks but would not lose any money if  
22 a pick did not win and cover the point spread. Some of my  
23 picks included games I had been assigned to referee. I would  
24 use a telephone or cell phone to make calls around the country  
25 to one of the individuals in order to communicate the picks so

1 that the bets could be placed with professional bookmakers.  
2 In many of these calls, we used a coded language and I  
3 concealed this conduct from my employer.

4 In December, 2006, in Pennsylvania, I received a  
5 cash payment during a meeting with other individuals.

6 THE COURT: On what date? I'm sorry.

7 THE DEFENDANT: December, 2006.

8 THE COURT: Just tell me, if you would,  
9 Mr. Donaghy, what if any use did you make of the telephone in  
10 connection with these offenses?

11 THE DEFENDANT: I would use the telephone to call  
12 another party and tell him about the game.

13 THE COURT: This was someone you had agreed to  
14 provide this information to?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: It was one of your coconspirators?

17 THE DEFENDANT: Yes.

18 THE COURT: You said there was a date in December  
19 when you had one of these telephone calls?

20 THE DEFENDANT: Yes.

21 THE COURT: In connection with Count Two, you were  
22 placing bets yourself; is that correct?

23 THE DEFENDANT: No, ma'am.

24 THE COURT: There is an allegation in Count Two  
25 that you and others being engaged in the business of betting

1 and wagering used a wire communications facility.

2 Was there an understanding other people were  
3 placing --

4 A Yes, I provided the information, yes.

5 THE COURT: You understood they were placing bets  
6 in connection with the information that you were providing?

7 THE DEFENDANT: Yes.

8 THE COURT: I take it the plea for Count Two is to  
9 Overt Act A; is that correct, Mr. Seigel?

10 MR. SEIGEL: Your Honor, that's my understanding,  
11 Overt Act A, alleged on or about December 13th, 2006, had a  
12 phone call regarding one of his picks, yes.

13 THE COURT: Mr. Seigel, what is your understanding  
14 as to the venue?

15 MR. SEIGEL: Your Honor, there is venue in this  
16 case based on information we developed in what is an ongoing  
17 investigation. As part of the agreement, I note, written  
18 expressly, the defendant waives venue in connection with this  
19 plea. For purposes of this point, we would like to proceed on  
20 that basis but there were in fact communications in this  
21 district.

22 THE COURT: Is it correct, Mr. Lauro, if there are  
23 any questions about venue, he's waiving that?

24 MR. LAURO: Absolutely. We've discussed this at  
25 length. In terms of our agreement with the government, we are

1 expressly waiving any venue objections that we would have and  
2 Mr. Donaghy is aware of that.

3 THE COURT: Mr. Donaghy, do you understand what  
4 waiving venue means?

5 THE DEFENDANT: Yes.

6 THE COURT: That means venue is where the crime  
7 took place. You're entitled to be prosecuted in the district  
8 where the crime took place and the Eastern District is all of  
9 Brooklyn, Queens, Long Island and Staten Island.

10 For the government to establish venue, they would  
11 have to prove that with respect to Count One, that some part  
12 of the conspiracy occurred in one of those locations and one  
13 way of doing that would be to show there was a telephone call  
14 from Brooklyn or to Brooklyn. With respect to the conspiracy  
15 charged in Count Two, I said Brooklyn or somewhere in the  
16 Eastern District as defined to you. With respect to Count  
17 Two, they would have to prove one of the overt acts occurred  
18 in this district.

19 If you waive venue, what that means is that you're  
20 permitting the case to proceed here even though the acts may  
21 have occurred in a different district; do you understand that?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Are you willing to waive that right and  
24 let the case proceed in this district?

25 THE DEFENDANT: Yes.

1 MR. SEIGEL: If I could make one point of clarity,  
2 it is alleged in the information in addition to the two crimes  
3 that the defendant has now pled guilty to, that he did himself  
4 place bets on NBA games. I didn't want there to be confusion.  
5 I think he would acknowledge that. That was not part of the  
6 charge. It was not part of the charged conduct and the  
7 conspiracy in Count Two. It is conduct in which he engaged.

8 THE COURT: Is there any dispute about that?

9 MR. LAURO: Your Honor, I'm not sure of the  
10 relevance at this point in terms of the allocution, but there  
11 is not a factual dispute as to what was said.

12 THE COURT: Let me ask, does the government believe  
13 that I need to make any further inquiry to establish a factual  
14 basis for the plea to either Count One or Count Two?

15 MR. SEIGEL: We do not, your Honor.

16 MR. LAURO: Your Honor, let me clarify one thing  
17 that Mr. Seigel said. There is nothing in this information  
18 that suggests Mr. Donaghy personally placed any bets. The  
19 allegations relate to conspiracy charges which I think have  
20 been allocuted. I don't want there to be any misunderstanding  
21 on the record in terms of what he's pleading to or the conduct  
22 he's pleading to.

23 THE COURT: The heart of the allegation, as I  
24 understand it, with respect to Count One, is that he was  
25 providing recommendations and information for the purposes of

1 others who were engaged in sports betting.

2 MR. LAURO: That more accurately describes.

3 THE COURT: That's what's charged, correct?

4 MR. SEIGEL: Right. I want to say because there's  
5 an allegation in here that Mr. Donaghy doesn't dispute, that  
6 he has been betting on NBA games himself for three years.

7 THE COURT: Where?

8 MR. SEIGEL: Paragraph 7. I wanted to make clear  
9 while he was independently betting on games, the conspiracy  
10 charge in which he was paid for his picks is Count One and the  
11 related conspiracy Count Two. That's separate from the other  
12 conduct which is alleged but not part of the essential  
13 elements of the two counts.

14 THE COURT: That's why I made the inquiry, because  
15 I believe it was alleged.

16 MR. SEIGEL: Correct, your Honor.

17 THE COURT: Mr. Lauro, do you think I need to make  
18 any further inquiry to establish a factual basis?

19 MR. LAURO: I don't think so, your Honor. He's  
20 fully allocuted to both crimes.

21 THE COURT: I take it with respect to Count Two,  
22 there were calls from one state to another; is that correct,  
23 Mr. Donaghy?

24 THE DEFENDANT: Yes.

25 THE COURT: These are interstate telephone calls.

1 I take it that was true with respect to Count One as  
2 well; is that correct?

3 THE DEFENDANT: Yes.

4 THE COURT: Based on the information given to me, I  
5 find that the defendant is acting voluntarily; that he fully  
6 understands the charges, his rights and the consequences of  
7 his plea and that there is a factual basis for the pleas to  
8 Counts One and Two. I accept the pleas of guilty to Counts  
9 One and Two.

10 Do we have a sentencing date?

11 THE CLERK: Yes, Judge. November 9th at 2:00  
12 o'clock; Friday November 9th at 2:00.

13 THE COURT: We need to take up the issue of bond.  
14 I don't have a Pretrial Services report.

15 MR. GOLDBERG: We will not be seeking detention.  
16 The defendant needs to be interviewed by Pretrial. We will be  
17 coming back to you today.

18 MR. LAURO: Your Honor, I have to be participating  
19 in a telephone conference in Orlando at 1:00 o'clock.

20 THE COURT: I don't think it should take that long.

21 PRETRIAL OFFICER: 15 minutes, your Honor.

22 MR. SEIGEL: There's also the matter of preliminary  
23 order of forfeiture.

24 THE COURT: That's correct.

25 Mr. Donaghy, it is also part of your agreement and

1 part of the allegation in the information that there was a  
2 criminal forfeiture provision; do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Was it also part of your agreement that  
5 you would agree to forfeit the sum of \$30,000?

6 THE DEFENDANT: Yes.

7 THE COURT: And you agree to that knowingly and  
8 voluntarily?

9 THE DEFENDANT: Yes.

10 MR. SEIGEL: You should have a preliminary order of  
11 forfeiture before you. I did hand one to your courtroom  
12 deputy. I have one that is marked, certainly would work.

13 (Pause.)

14 MR. SEIGEL: I have another one.

15 THE COURT: Counsel, your client agrees I should  
16 sign this?

17 MR. LAURO: Yes.

18 THE COURT: Do you agree to that?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: There has to be a form signed. The  
21 defendant needs to meet with probation.

22 MR. SEIGEL: We'll take care of that.

23 THE COURT: We'll deal with the bail issue. The  
24 defendant also has to meet with the Probation Department.

25 MR. LAURO: Today, yes.



1 (Recess.)

2 THE CLERK: United States against Donaghy.

3 THE COURT: I'm in receipt of the Pretrial Services'  
4 report on the issue of bond.

5 What is the government's position, Mr. Goldberg?

6 MR. GOLDBERG: The government agrees with Pretrial  
7 Services' recommendation an unsecured bond be issued with the  
8 specifications set forth in the recommendation.

9 THE COURT: Including the last specification?

10 MR. GOLDBERG: Yes, your Honor.

11 THE COURT: What does the government propose as the  
12 amount of the unsecured bond?

13 MR. GOLDBERG: \$250,000.

14 THE COURT: Counsel, do you want to be heard on  
15 that issue?

16 MR. LAURO: Your Honor, we're in agreement on all  
17 of those conditions as well as the circumstances of his  
18 release.

19 There's a slight correction to the pretrial report  
20 that we made orally. I don't think it changes the substance.

21 THE COURT: You want the reporting travel  
22 restrictions -- he's already surrendered his passport?

23 MR. LAURO: He has surrendered.

24 THE COURT: You understand that means, Mr. Donaghy,  
25 you can't apply for another passport; you understand that?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: There are other conditions for visits,  
3 testing and treatment?

4 MR. GOLDBERG: That's correct, Judge.

5 THE COURT: Where will he be supervised?

6 MR. LAURO: He lives in Bradenton, Florida, the  
7 Middle District of Florida.

8 THE COURT: Will he be transferred?

9 MR. GOLDBERG: Most likely. I'll discuss that with  
10 Mr. Penny.

11 THE COURT: Having reviewed the report, in light of  
12 the defendant's ties to the United States, his family and  
13 history, it appears the bond is sufficient in this court's  
14 view to secure his appearance at any further court  
15 proceedings.

16 Do you have the conditions?

17 MR. GOLDBERG: I'm filling it out.

18 THE COURT: Mr. Donaghy, I'm going to release you  
19 on bond. Your bond is, in effect, your promise to return to  
20 court at all scheduled court appearances. Were you to fail to  
21 return to court, a warrant would issue for your arrest. You  
22 would also likely be charged with another crime which is bail  
23 jumping, which is intentional failure to appear in court.

24 If you fail to appear intentionally, that's a very  
25 simple case for the government to prove. They just prove that

1 you were notified of your court date and didn't appear.

2 It's also a crime to commit another offense while  
3 you're out on bond or to engage in any activity that would  
4 interfere with the government's investigation of this case or  
5 to threaten anyone you thought would be a witness against you;  
6 do you understand that?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: The next court appearance is  
9 November 9th at 2:00 o'clock. That would be the next time you  
10 have to appear this court.

11 The only reason you wouldn't have to be here at that  
12 date and time if your counsel informed you for some reason the  
13 date had been changed.

14 Do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: Is there a reporting requirement that  
17 was recommended?

18 MR. GOLDBERG: As directed by Pretrial. I'm not  
19 sure if the box is checked.

20 THE COURT: Must report. They don't indicate what  
21 the reporting requirement is. I would think once a week by  
22 telephone would be appropriate.

23 MR. GOLDBERG: We have no objection to that.

24 MR. LAURO: Your Honor, the only other issue, I  
25 think in terms of travel outside of New York, Pennsylvania or

1 Florida, my understand was that would be with the permission  
2 of the Pretrial Services' office; that it would not be  
3 necessary to come back to the court.

4 MR. GOLDBERG: The intention is to allow him to be  
5 in those areas without getting prior requests.

6 THE COURT: That's plain. He doesn't have to get  
7 my permission to be in New York, Pennsylvania or Florida, but  
8 if he were to travel to some other area, usually that requires  
9 court permission.

10 MR. LAURO: Yes, your Honor, but it was my  
11 understanding the government might agree to him simply  
12 advising the government's Pretrial Services' office of his  
13 intentions to travel elsewhere and that would be sufficient.

14 MR. GOLDBERG: As long as he gets permission from  
15 Pretrial in advance, we have no problem.

16 (Pause.)

17 THE COURT: I've just indicated on the bond  
18 permission to travel outside the areas may be designated by  
19 Pretrial.

20 Is there anything else we need to take up?

21 MR. LAURO: No, your Honor.  
22  
23  
24  
25

## Accomplishment Report

Date Prepared 9/4/07Date Loaded 9/5/07Date Loader's Initials PTH
☒ Squad supervisor approval  
(please initial)

 (Accomplishment must be reported and loaded into  
ISRAA within 30 days from date of accomplishment)

 Accomplishment involves:  
(check all that apply)
 

- Drugs ☐
- A Fugitive ☐
- Bankruptcy Fraud ☐
- Computer Fraud/Abuse ☐
- Corruption of Public Official ☐
- Money Laundering ☐
- Sub Invest Asst by FO(s) ☐

 Asst. FO(s)  
A. B. C. D.

Task Force

File Number

Stat Agent Soc. Sec. No.

RA Squad

Assisting Agents Soc. Sec. No. X

1. - -

Name:

2. - -

Name:

Investigative Assistance or Technique Used							
1. Used, but did not help				3. Helped, substantially			
2. Helped, minimally				4. Absolutely essential			
For Sub. Invest. Assist. by other FO(s) indicate A, B, C, D for corresponding FO							
Rate	FO	IAT	Rate	FO	IAT	Rate	FO
	Fin. Analyst			Lab. Field Sup			UCO - Nat Back
	Aircraft Asst.			Pen Registers			NCACV/VI-CAP
	Computer			Photo Cover			Crim/NS Intel Ass
	Consent Mon.			Polygraph			Crisis Neg. - Fed
	ELSUR / FISQ			Search Warrant			Crisis Neg. - Local
	ELSUR / T. III			Show Money			ERT Asst.
	Eng. Field Spt			SOG Asst.			Butla - ITC
	Eng. Tape Ex.			Swat Team			Sav - ITC
	Legals Asst.			Tech. Ag/Equip.			Poc - ITC
	Eyld, Purchas			Phone Toll Rec			Fl. Mon. - ITC
	Int/CW Info			UCO - Group I			For. Lang Asst.
	Lab. Div. Exam			UCO - Group II			Non FBI Lab Ex
							Vict-Win Coor
							O Wanted Flyer
							SARs
							CART
							Asset For Prog
							Forl Support Proj
							YFOS/CTD
							CXS/CTD
							InfraGard/CyD
							OFC/CID
							PPP

b7A -1

b6 -1

b7C -1

b7E -3

b7E -9

b7E -3

## A. Complaint / Information / Indictment

☒ Federal ☐ Local ☐ International

Complaint Date: \_\_\_\_\_

Check if Civil Rico Complaint ☐Information Date: 8/15/07

Indictment Date: \_\_\_\_\_

## B. Locate / Arrest

☐ Federal ☐ Local ☐ International
Subject Priority: ☐ A ☐ B ☐ C

Locate Date: \_\_\_\_\_

Arrest Date: \_\_\_\_\_

☐ Subject Resisted Arrest☐ Subject Arrested was Armed

## C. Summons Date: \_\_\_\_\_

☐ Federal ☐ Local

## D. Recovery / Restitution / PELP X

☐ Federal ☐ Local ☐ International

Recovery Date: \_\_\_\_\_

Code \* \_\_\_\_\_ Amount \$ \_\_\_\_\_

Code \* \_\_\_\_\_ Amount \$ \_\_\_\_\_

Restitution Date: \_\_\_\_\_

☐ Court Ordered ☐ Pretrial Diversion

Code \* \_\_\_\_\_ Amount \$ \_\_\_\_\_

PELP Date: \_\_\_\_\_

Code \* \_\_\_\_\_ Amount \$ \_\_\_\_\_

## E. Hostages(s) Released Date: \_\_\_\_\_

Released by: ☐ Terrorist ☐ Other

Number of Hostages: \_\_\_\_\_

## F. Conviction

☒ Federal ☐ Local ☐ International
Conviction Date: 8/15/07

For 6F, G, H-Include Agency Code

☒ Felony or ☐ Misdemeanor

☒ Plea or ☐ Trial
State: NY Judicial District: ED

## G. U.S. Code Violation

Required for sections A, B, F and J  
(Federal Only)

Title Section # Counts

18 1349 118 371 1

## H. Sentence Date: \_\_\_\_\_

Sentence Type: \_\_\_\_\_

In Jail: Years \_\_\_\_\_ Months \_\_\_\_\_

Suspended: Years \_\_\_\_\_ Months \_\_\_\_\_

Probation: Years \_\_\_\_\_ Months \_\_\_\_\_

Fines: \$ \_\_\_\_\_

I. Disruption/Dismantlement: ☒

Disruption Date: \_\_\_\_\_

Dismantlement Date: \_\_\_\_\_

Completion of FD-515a Side 2 Mandatory

## J. Civil Rico Matters Date: \_\_\_\_\_

Also complete "Section G"

Other Civil Matters Date: \_\_\_\_\_

Judgment \_\_\_\_\_

Judicial Outcome \_\_\_\_\_ \*x

Amount \$ \_\_\_\_\_

Suspension: Years \_\_\_\_\_ Months \_\_\_\_\_

## K. Administrative Sanction Date: \_\_\_\_\_

Subject Description Code \_\_\_\_\_

Type: \_\_\_\_\_ Length: \_\_\_\_\_

☐ Suspension ☐ Permanent

☐ Debarment or ☐ Injunction

Year \_\_\_\_\_ Months \_\_\_\_\_

## L. Asset Seizure Date: \_\_\_\_\_

Asset Forfeiture Date: \_\_\_\_\_

CATS # Mandatory \_\_\_\_\_

Circle below one of the three asset forfeiture:

Admin, Civil Judicial, or Criminal

Do not indicate \$ value in Section D

## M. Acquittal/ Dismissal/ Pretrial Diversion

(Circle one) Date: \_\_\_\_\_

N. Drug Seizures ☒ Date: \_\_\_\_\_

Drug Code \* \_\_\_\_\_

Weight \_\_\_\_\_ Code \* \_\_\_\_\_

FDIN \_\_\_\_\_

Do not indicate \$ in Section D

## O. Child Victim Information

Child located / identified Date: \_\_\_\_\_

☐ Living ☐ Deceased

## P. Subject Information - Required for all blocks excluding block D (Recovery/PELP), blocks E, I, L and N

Name	Race*	Sex	Date of Birth	Social Security No. (if available)
<u>TIMOTHY FRANCIS DONAGHY</u>	<u>W</u>	<u>M</u>		

For Indictments/Convictions only:

☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European, Caribbean, or Nigerian Organized Crime Group - Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.

☐ Subject related to an OC/Drug organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group - Complete FD-515a, Side 1 Blocks A-C only.

x Additional information may be added by attaching another form or a plain sheet of paper for additional entries

• See codes on reverse side.

✓ Requires that an explanation be attached and loaded into ISRAA for recovery over \$1M and PELP over \$500M, disruption, dismantlement, and drug

SEARCHED

SERIAL

INDEXED

FILED

Serial No. of FD-515

b6 -2

b7C -2

b7A -1

DONAGHY-435

For Further Instructions See: MAOP, Part II, Sections 3-5 thru 3-5.3.  
Revised 12-19-2006

#### PROPERTY CODES

01 Cash  
02 Stocks, Bonds or Negot. Instruments  
03 General Retail Merchandise  
04 Vehicles  
05 Heavy Machinery & Equipment  
06 Aircraft  
07 Jewelry  
08 Vessels  
09 Art, Antiques or Rare Collections  
11 Real Property  
20 All Other

#### SENTENCE TYPES

CP Capital Punishment  
JS Jail Sentence  
LP Life Parole  
LS Life Sentence  
NS No Sentence (Subject is a Fugitive, Insane, has died, is a Corporation or must pay fine only)  
PB Probation  
SJ Suspension of Jail Sentence  
YC Youth Correction Act

#### PELP CODES

22 Counterfeit  
- Stocks/Bonds/Currency/  
Negotiable Instruments  
23 Counterfeit/Pirated Sound  
Recordings or Motion Pictures  
24 Bank Theft Scheme Aborted  
25 Ransom, Extortion or Bribe  
Demand Aborted  
26 Theft From or Fraud Against  
Government Scheme Aborted  
27 Commercial or Industrial  
Theft Scheme Aborted  
30 All Other

#### RACE CODES

A Asian/Pacific Islander  
B Black  
I Indian/American  
U Unknown  
W White  
X Nonindividual

#### AGENCY CODES

AFOSI Air Force Office of Special Investigations  
ACIS Army Criminal Investigative Service  
BATF Bureau of Alcohol, Tobacco & Firearms  
BIA Bureau of Indian Affairs  
CBP Customs and Border Protection  
DCAA Defense Contract Audit Agency  
DCIS Defense Criminal Investigative Service  
DEA Drug Enforcement Administration  
DOC Department of Corrections  
DOI Dept. of Interior  
DHS Dept. of Homeland Security  
EPA Environmental Protection Agency  
FAA Federal Aviation Administration  
FDA Food and Drug Administration  
HHS Dept. of Health & Human Services  
HUD Dept. of Housing & Urban Development  
ICE Immigration and Customs Enforcement  
IRS Internal Revenue Service  
NASA Nat'l Aeronautics & Space Admin  
NBIS Nat'l NARC Border Interdiction  
NCIS Naval Criminal Investigative Service  
RCMP Royal Canadian Mounted Police  
SBA Small Business Administration  
USCG U.S. Coast Guard  
USDS U.S. Department of State  
USMS U.S. Marshals Service  
USPS U.S. Postal Service  
USSS U.S. Secret Service  
USTR U.S. Treasury  
LOC Local  
CITY City  
COUNTY County  
ST State  
OTHR Other

#### JUDGMENT CODES

CJ Consent Judgment  
CO Court Ordered Settlement  
DF Default Judgment  
DI Dismissal  
JN Judgment Notwithstanding  
MV Mixed Verdict  
SJ Summary Judgment  
VD Verdict for Defendant  
VP Verdict for Plaintiff

#### JUDICIAL OUTCOME

AG Agreement  
BR Barred/Removed  
CC Civil Contempt  
DC Disciplinary Charges  
FI Fine  
PI Preliminary Injunction  
PR Temporary Restraining Order  
PS Pre-filing Settlement  
RN Restitution  
SP Suspension  
VR Voluntary Resignation  
OT Other

#### SUBJECT PRIORITY

A Subject wanted for crimes of violence  
(i.e., murder, manslaughter, forcible rape)  
against another individual or convicted of  
such a crime in the past five years.  
B Subject wanted for crimes involving loss  
or destruction of property valued in excess  
of \$25,000 or convicted of such a crime  
in the past five years.  
C All other subjects.

#### DRUG CODES

COC Cocaine  
HER Heroin  
HSH Hashish  
KAT Khat  
LSD LSD  
MAR Marijuana  
MDM Methylenedioxymethylamphetamine  
MET Methamphetamine  
MOR Morphine  
OPM Opium  
OTD Other drugs

#### DRUG WEIGHT CODES

GM Gram(s)  
KG Kilogram(s)  
L Liter(s)  
ML Milliliter(s)  
P Plant(s)  
DU Dosage Unit(s)

#### SUBJECT DESCRIPTION CODES

#### ORGANIZED CRIME SUBJECTS

1F Boss  
1G Underboss  
1H Consigliere  
1J Acting Boss  
1K Capodecina  
1L Soldier

#### KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive  
2B Top Thief  
2C Top Con Man

#### FOREIGN NATIONALS

3A Legal Alien  
3B Illegal Alien  
3C Foreign Official W/out  
Diplomatic Immunity  
3D U.N. Employee W/out  
Diplomatic Immunity  
3E Foreign Student  
3F All Others

#### TERRORISTS

4A Known Member of a  
Terrorist Organization  
4B Possible Terrorist Member  
or Sympathizer

#### UNION MEMBERS

5D President  
5E Vice-President  
5F Treasurer  
5G Secretary/Treasurer  
5H Executive Board Member  
5I Business Agent  
5J Representative  
5K Organizer  
5L Business Manager  
5M Financial Secretary  
5N Recording Secretary  
5P Office Manager  
5Q Clerk  
5R Shop Steward  
5S Member  
5T Trustee  
5U Other

#### GOVERNMENT SUBJECTS

(6F, 6G, 6H- Include Agency Code)

6A Presidential Appointee  
6B U.S. Senator/Staff  
6C U.S. Representative/Staff  
6D Federal Judge/Magistrate  
6E Federal Prosecutor  
6F Federal Law Enforcement Officer  
6G Federal Employee - GS 13 & Above  
6H Federal Employee - GS 12 & Below  
6I Governor  
6K Lt. Governor  
6L State Legislator  
6M State Judge/Magistrate

#### Continuation of GOVERNMENT SUBJECTS

6N State Prosecutor  
6P State Law Enforcement Officer  
6Q State - All Others  
6R Mayor  
6S Local Legislator  
6T Local Judge/Magistrate  
6U Local Prosecutor  
6V Local Law Enforcement Officer  
6W Local-All Others  
6X County Commissioner  
6Y City Councilman

#### BANK EMPLOYEES

7A Bank Officer  
7B Bank Employee

#### OTHERS

8A All Other Subjects  
8B Company or Corporation

#### CHILD PREDATORS

9A Child Care provider  
9B Clergy  
9C Athletic Coach  
9D Teacher/Aide  
9E Law Enforcement Personnel  
9F Counselor  
9G Relative  
9H Stranger  
9I Other

10/12/2007

\*\*\*\*\* INFORMATION \*\*\*\*\*

~~SENSITIVE~~ / UNCLASSIFIEDCase Number:   
Serial No.: Stat Agent Name:   
Stat Agent SOC.: Report Date: 10/12/2007  
Accom Date.: 08/15/2007

## Does Accomplishment Involve

Drugs . . . . . : N  
 A Fugitive. . . . . : N  
 Bankruptcy Fraud. . . . . : N  
 Computer Fraud/Abuse. . . . . : N  
 Corruption of Public Officials: N  
 Money Laundering. . . . . : N

Sub. Invest. Asst by Other FOs:

## Investigative Assistance or Technique Used

FINAN ANALYST	LAB FIELD SUP	UCO - NAT BACK	VICT-WITH COOR
AIRCRAFT ASST	PEN REGISTERS	NCAVC/VI-CAP	IO WANTED FLYR
COMPUTER ASST	PHOTO COVERGE	CRIM/NS INTEL	SARS
CONSEN MONITR	POLYGRAPH	CRIS NEG-FED	CART
ELSUR/FISC	SRCH WAR EXEC	CRIS NEG-LOC	ASSET FORF PRO
ELSUR/III	SHOW MONEY	ERT ASST	FORF SUPPORT P
ENG FIELD SUP	SOG ASST	BUTTE-ITC	TFOS/CTD
ENG TAPE EXAM	SWAT TEAM	SAVANNAH-ITC	CXS/CTD
LEGATS ASST.	TECH AG/EQUIP	POC-WRCSC	INFRAGARD/CYD
EVIDNCE PURCH	TEL TOLL RECS	FT. MON-WRCSC	OFC/CID
INFORMANT/CW	UCO-GROUP I	FOR LANG ASST	PPP
LAB DIV EXAMS	UCO-GROUP II	NON FBI LAB EX	

## Assisting Agents SOC

## Subject Name

DONAGHY, TIMOTHY

RA Squad Task Force

D2 

1 = Used, but did not help  
 2 = Helped, Minimally  
 3 = Helped, Substantially  
 4 = Absolutely Essential

Information is for Federal, Local, or International (F/L/I)....: F

Serial Number of Information.....:

## United States Code Violation

Title	Section	Counts
18	1349	1
18	371	1

## Accomplishment Narrative

DONAGHY, TIMOTHY, FRANCIS, RACE:WHITE, SEX:MALE, DATE OF BIRTH:  AND  
 SSAN:

~~SENSITIVE~~ / UNCLASSIFIED

DONAGHY-437

09/05/2007

\*\*\*\*\* CONVICTION \*\*\*\*\*

~~SENSITIVE~~ / UNCLASSIFIEDCase Number:   
Serial No.: Stat Agent Name:   
Stat Agent SOC.: Report Date: 09/05/2007  
Accom Date.: 08/15/2007b6 -1  
b7A -1  
b7C -1

## Does Accomplishment Involve

Drugs . . . . . : N  
A Fugitive. . . . . : N  
Bankruptcy Fraud. . . . . : N  
Computer Fraud/Abuse. . . . . : N  
Corruption of Public Officials: N  
Money Laundering. . . . . : N

## Assisting Agents SOC

## Subject Name

DONAGHY, TIMOTHY, FRANCIS

RA Squad Task Force

D2 

b7E -3

b7E -9

Sub. Invest. Asst by Other FOs:

1 = Used, but did not help  
2 = Helped, Minimally  
3 = Helped, Substantially  
4 = Absolutely Essential

b7E -3

## Investigative Assistance or Technique Used

FINAN ANALYST	LAB FIELD SUP	UCO - NAT BACK	VICT-WITN COOR
AIRCRAFT ASST	PEN REGISTERS	NCAVC/VI-CAP	NO WANTED FLYR
COMPUTER ASST	PHOTO COVERGE	CRIM/NS INTEL	SARS
CONSEN MONITR	POLYGRAPH	CRIS NEG-FED	CART
ELSUR/FISC	SRCH WAR EXEC	CRIS NEG-LOC	ASSET FORF PRO
ELSUR/III	SHOW MONEY	ERT ASST	FORF SUPPORT P
ENG FIELD SUP	SOG ASST	BUTTE-ITC	TFOS/CTD
ENG TAPE EXAM	SWAT TEAM	SAVANNAH-ITC	CXS/CTD
LEGATS ASST.	TECH AG/EQUIP	POC-WRCSC	INFRAGARD/CYD
EVIDNCE PURCH	T&L TOLL RECS	FT. MON-NRCSC	DFC/CID
INFORMANT/CW	UCO-GROUP I	FOR LANG ASST	PPP
LAB DIV EXAMS	UCO-GROUP II	NON FBI LAB EX	

Date of Conviction (MM/DD/YYYY) . . . . . : 08/15/2007

b7E -3

Federal, Local, or International (F/L/I) . . . . . : F  
Felony or Misdemeanor (F/M) . . . . . : FPlea or Trial (P/T) . . . . . : P  
Judicial State. . . . . : NY  
Judicial District . . . . . : ED

## U. S. Code Violation(s)

Title	Section	Counts
18	1349	1
18	371	1

Form FD-515a:

Subject's Role =

## Accomplishment Narrative

TIMOTHY FRANCIS DONAGHY, RACE:WHITE, SEX:MALE, DATE OF BIRTH:  AND  
SSAN: b6 -2  
b7C -2

DONAGHY-438



# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/06/2007

To: New York

Attn: SA [redacted]  
[redacted]  
BQMRA

b6 -1  
b7C -1  
b7E -9

From: [redacted]

b7E -4

Contact: SSA [redacted]

Approved By: [redacted]

b6 -1  
b7C -1

Drafted By: [redacted] jrf

Case ID #: [redacted] (Pending) [redacted]

b7A -1

Title: [redacted]

b6 -2  
b7C -2  
b7E -8

**Synopsis:** [redacted]

b7E -4

[redacted] specifically as it relates to the Wire Fraud conviction of former National Basketball Association (NBA) referee Timothy F. Donaghy.

**Enclosure(s):** One, seven-page Letterhead Memorandum (LHM), [redacted] suitable for dissemination.

b7E -4

**Details:** [redacted]

[redacted] was in contact with Special Agent (SA) [redacted] and the [redacted] supervisor [redacted] relating to captioned case. [redacted]

b6 -1  
b7C -1  
b7E -4, 9

Enclosed LHM represents a summary of those discussions, [redacted] and opinions.

There are no further leads [redacted]

b7E -4

b7A -1

Uploaded 9/14/07 TL

Downloaded                     

*Lead Covered*  
*9/17/07*  
*TL*

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 21 2008	
FBI - NEW YORK	
DONAGHY-446	

b6 -1  
b7C -1

To: New York From: [REDACTED]  
Re: [REDACTED] 09/06/2007

b7E -4

b7A -1

LEAD(s):

Set Lead 1: (Discretionary)

NEW YORK

AT BQMRA

Read and clear. Disseminate LHM to whichever agency(s) NYO  
deems appropriate.

♦♦

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/13/2007

To: New York

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: Review by [redacted]

b7E -4  
7/11/07

Enclosure(s): [redacted] dated 08/30/2007.

Details: In furtherance of the above investigation, the FBI's [redacted] was requested to prepare a report. This report's objective [redacted]

b7E -4

Attached is a copy of [redacted] dated 08/30/2007.

♦♦

b7A -1

[redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 17 2007	
FBI NEW YORK	

b6 -1  
b7C -1

DONAGHY-448

b7E -4

[redacted] 8-30-07

[redacted] wpd

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/21/2007

To: New York

Attn: [redacted]

BQMRA

b6 -1  
b7C -1  
b7E -9

From: Tampa

Sarasota RA

Contact: [redacted]

b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

ggs

Case ID #: [redacted]

(Pending)

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: Recovery of former DONAGHY [redacted]

b3 -1

Package Copy: Being forwarded under separate cover to the New York Division is [redacted]

(b3) -1

Enclosure(s): Enclosed for the New York Division are (1) original and one (1) copy of the Federal Grand Jury subpoena return of service and (1) original and one (1) copy of the FD-597, dated September 21, 2007.

Details: On September 21, 2007, SA [redacted] met with [redacted]

b3 -1  
b6 -1, 3  
b7C -1, 3

advised SA [redacted]

[redacted] was presented with the Eastern District of New York, United States District Court Subpoena, [redacted]

[redacted] complied with the subpoena and voluntarily provided the above referenced [redacted]

Investigation at the Tampa Division, Sarasota Resident Agency completed.

b7A -1

[redacted]	
SEARCHED	INDEXED
SERIALIZED	FILED
OCT - 1 2007	
FBI - NEW YORK	
[redacted]	

b6 -1  
b7C -1

DONAGHY-455

To: New York From: Tampa  
Re:  09/21/2007

b7A -1

LEAD(s):

Set Lead 1: (Info)

NEW YORK

AT NEW YORK

Read and Clear.

♦♦

# United States District Court

EASTERN

NEW YORK

DISTRICT OF

TO:

[Redacted]

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

b3 -1  
b6 -3  
b7C -3

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

[Redacted]

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

[Redacted]

[Redacted]

b3 -1  
b6 -3  
b7C -3

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO  
SPECIAL AGENT [Redacted] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS  
ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [Redacted])

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

*Andrea Jones*

Date

DONAGHY-457

09/13/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

b6 -6  
b7C -6

[Redacted] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[Redacted]

b7A -1

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM OBD-227

[Redacted]

# RETURN OF SERVICE<sup>(1)</sup>

RECEIVED BY SENDER	DATE 9-18-2007	PLACE Sarasota FL.
SERVED	DATE 9-21-2007	PLACE Bradenton Florida
SERVED ON (NAME)		

b3 -1  
b6 -3  
b7C -3

SERVED BY	TITLE
	Special Agent

b6 -1  
b7C -1

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER<sup>(2)</sup>

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 9-21-2007  
Date

Signature of Server

1800 2nd St #950E, Sarasota, FL 34230  
Address of Server

b6 -1  
b7C -1

## ADDITIONAL INFORMATION

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)"

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File #

b7A -1

On (date)

9-21-07

item(s) listed below were:

- ☒ Received From  
☐ Returned To  
☐ Released To  
☐ Seized

(Name)

b3 -1

(Street Address)

b6 -3

(City)

b7C -3

Description of Item(s):

b3 -1

Received By:

(Signature)

Received From:

(Signature)

b6 -1, 3

b7C -1, 3

DONAGHY-459



travelpr.wpd

h: / ~~TVL.EC.wpd~~

[Redacted]	
SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
OCT 09 2007	
FBI - NEW YORK	
[Redacted]	[Redacted]
[Redacted]	<u>PNH</u>

(X)  
1000

b7A -1  
[Redacted]

PPS / PPS

b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/28/2007

To: [redacted]  
Criminal Investigative  
New York

Attn: SSRA [redacted]  
WCVRA [redacted]  
ASAC [redacted]  
Attn: [redacted]  
SSA [redacted]

b6 -1  
b7C -1  
b7E -8

From: New York

Contact: SA [redacted]  
SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted] cjl

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION: FLAGRANT FOUL;

b7E -8

Synopsis: Request authority for travel and rental car expenses for SA's [redacted] of the New York Office (NYO).

b6 -1  
b7C -1

Notify the NYO regarding concurrence received at the United States Attorney's Office for the Eastern District of New York (EDNY) regarding captioned matter.

Administrative: Reference 09/28/2007 telcals between NYO SA [redacted] and SSA [redacted] Criminal Investigative Division. [redacted] SSA [redacted] advised that Assistant Section Chief [redacted] at FBIHQ telephonically contacted SSRA [redacted] on behalf of the travel plans for SA's [redacted]. As per telcal with SSA [redacted] concurrence for SA's [redacted] to travel to [redacted] was granted. Additionally, SSA [redacted] of the Criminal Investigative Division, [redacted] obtained concurrence from ASAC [redacted] for the aforementioned agents.

b6 -1  
b7C -1  
b7E -8

Details: Authority is requested for SA's [redacted] to travel to [redacted] on or about 10/01/07, returning on or about 10/03/07. The purpose for this

b6 -1  
b7C -1  
b7E -8

To: ?? From: New York  
Re: [redacted] 09/28/2007

b7A -1

travel authorization is for SA's [redacted] to conduct a "cold call" interview of a witness, and to serve a Federal Grand Jury Subpoena issued by the Eastern District of New York. [redacted]

b6 -1,4  
b7C -1,4  
b7D -1  
b7E -8

[redacted] New York agents do not foresee the need to request any investigative support and/or assistance from [redacted]  
[redacted]

In referenced telecommunications above, FBIHQ [redacted] has obtained SAC concurrence for SA's [redacted] to travel [redacted]  
[redacted]

b6 -1  
b7C -1  
b7E -8

To: ?? From: New York  
Re: [REDACTED] 09/28/2007

b7E -1

LEAD(s):

Set Lead 1: (Info)

[REDACTED]

b7E -8

For information only regarding travel of NYO personnel to  
[REDACTED] to conduct investigation.

♦♦

~~hit WP/Donaghy/EC's/TVL, EC~~  
travel.ec.wpd

travel.ec.wpd

(X)

b7A -1

1802

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 28 2007	
FBI - NEW YORK	

✓

1802

b6 -1  
b7C -1

b:1 [redacted] Travel [redacted] wpa

(X) 1806 [redacted] b7A -1

SEARCHED	INDEXED
SERIALIZED	FILED /R
OCT 09 2007	
FBI — NEW YORK	
[redacted]	1800
[signature]	

1993/1805

b6 -1, 4  
b7C -1, 4  
b7D -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/02/2007

To: [redacted]

Attn: A/SAC [redacted]  
A/ASAC [redacted]  
SSA [redacted]  
Squad 5

b6 -1, 4  
b7C -1, 4  
b7D -1

From: New York

[redacted] BQMRA

Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]: rms

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION: FLAGRANT FOUL;

[redacted]

b7E -8

Synopsis: Request authority for travel and rental car expenses for SA's [redacted] of the New York Office (NYO).

b6 -1  
b7C -1

Administrative: Reference 10/02/2007 telcals between NYO SA [redacted] and A/ASAC [redacted] and SSA [redacted] Division.

b6 -1, 4  
b7C -1, 4  
b7D -1

Details: Authority is requested for SA's [redacted] to travel to the [redacted] Division on or about 10/04/2007, returning on or about 10/05/2007. The purpose of this travel authorization is for SA's [redacted] to conduct a "cold call" interview of a witness, and to serve a Federal Grand Jury Subpoena issued by the Eastern District of New York. [redacted]

b6 -1, 4  
b7C -1, 4  
b7D -1  
b7E -8

The witness' residence where he will be contacted at is in the [redacted] area within the confines of the [redacted] Division. New York agents do not foresee the need to request any investigative support/or assistance from the [redacted] Division.

b6 -4  
b7C -4  
b7D -1

To: [redacted] From: New York  
Re: [redacted] 10/02/2007

b6 -4  
b7C -4  
b7A -1  
b7D -1

In referenced telephone call above, A/ASAC [redacted]  
[redacted] Division, obtained concurrence for NYO agents to travel to  
from A/SAC [redacted] SAC New York Criminal Division concurs  
with the aforementioned travel.

b6 -1, 4  
b7C -1, 4  
b7D -1



To: [redacted] From: New York  
Re: [redacted] 10/02/2007

b6 -4  
b7C -4  
b7A -1  
b7D -1

LEAD(s):

Set Lead 1: (Info)

[redacted]

AT [redacted]

b6 -4  
b7C -4  
b7D -1

For information only regarding travel of NYO personnel to  
the [redacted] Division to conduct investigation.

♦♦

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/23/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: OPERATION FLAGRANT FOUL

Synopsis: Case summary.

Details: The following is a synopsis of the case to date. It is not meant to reflect the entirety of information learned during this investigation

In late 2006/early 2007, it was determined that an NBA referee, TIM DONAGHY, was involved in the fixing of professional basketball games. Involved in the scheme with the referee [redacted]

b6 -2, 3  
b7C -2, 3

Investigation revealed that [redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

[redacted] was interviewed by Agents and served with a Grand Jury Subpoena. During the interview, [redacted]

[redacted] did not testify before the Grand Jury.

b3 -1  
b6 -2  
b7C -2

[redacted] was subsequently interviewed by Agents and served with a Grand Jury Subpoena. [redacted]

Investigation revealed that DONAGHY started betting on [redacted]

b6 -4  
b7C -4  
b7D -1

SERIALIZED [initials] FILED [initials]

OCT 23 2007

FBI - NEW YORK

DONAGHY-469

b7A -1  
b6 -1  
b7C -1

Update 10-23-07

To: New York From: New York  
Re: [REDACTED] 10/23/2007

b7A -1

[REDACTED]

b6 -2, 4  
b7C -2, 4

[REDACTED]

b6 -2, 4  
b7C -2, 4  
b7D -1

[REDACTED]

b6 -2,4  
b7C -2,4  
b7D -1

On 08/15/07, DONAGHY [REDACTED]  
entered a plea of guilty to an Information before the Honorable  
Judge Carol B. Amon in the U.S. District Court, Eastern District  
of New York. The charges were Conspiracy to Commit Wire Fraud  
and Conspiracy to Transmit Wagering Information (charges that  
carry a penalty of up to 25 years in prison). In addition,  
[REDACTED] were charged with wire fraud on a complaint.  
They surrendered to [REDACTED] agents on 08/15/07 and were  
arraigned before Magistrate Reyes. [REDACTED]

b6 -2  
b7C -2  
b7E -9

[REDACTED]  
[REDACTED] An indictment should be forthcoming  
in late fall 2007.

[REDACTED]

b6 -2,4  
b7C -2,4  
b7D -1

♦♦

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/05/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted] *HH*

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: Case Update.

Details: In early 2007, information was received indicating that an NBA referee, TIM DONAGHY, was involved in the fixing of professional basketball games. Involved in the scheme with the referee [redacted]

b6 -2, 3  
b7C -2, 3  
b7D -1

Subpoenas were served for [redacted]

b3 -1  
b6 -2  
b7C -2  
b7D -1

[redacted] was interviewed by Agents and served with a Grand Jury Subpoena. During the interview, [redacted]

[redacted] took the fifth and did not testify before the Grand Jury.

[redacted] was subsequently interviewed by Agents.

b3 -1  
b6 -4  
b7C -4  
b7D -1

[redacted] stated that [redacted]

He also said that [redacted]

[redacted] knew that [redacted] was a

He was aware that [redacted]

[redacted] but he did not know

where this information came from. [redacted]

b7A -1

He denied that

however [redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 06 2007	
FBI NEW YORK	
[redacted] <i>HH</i>	

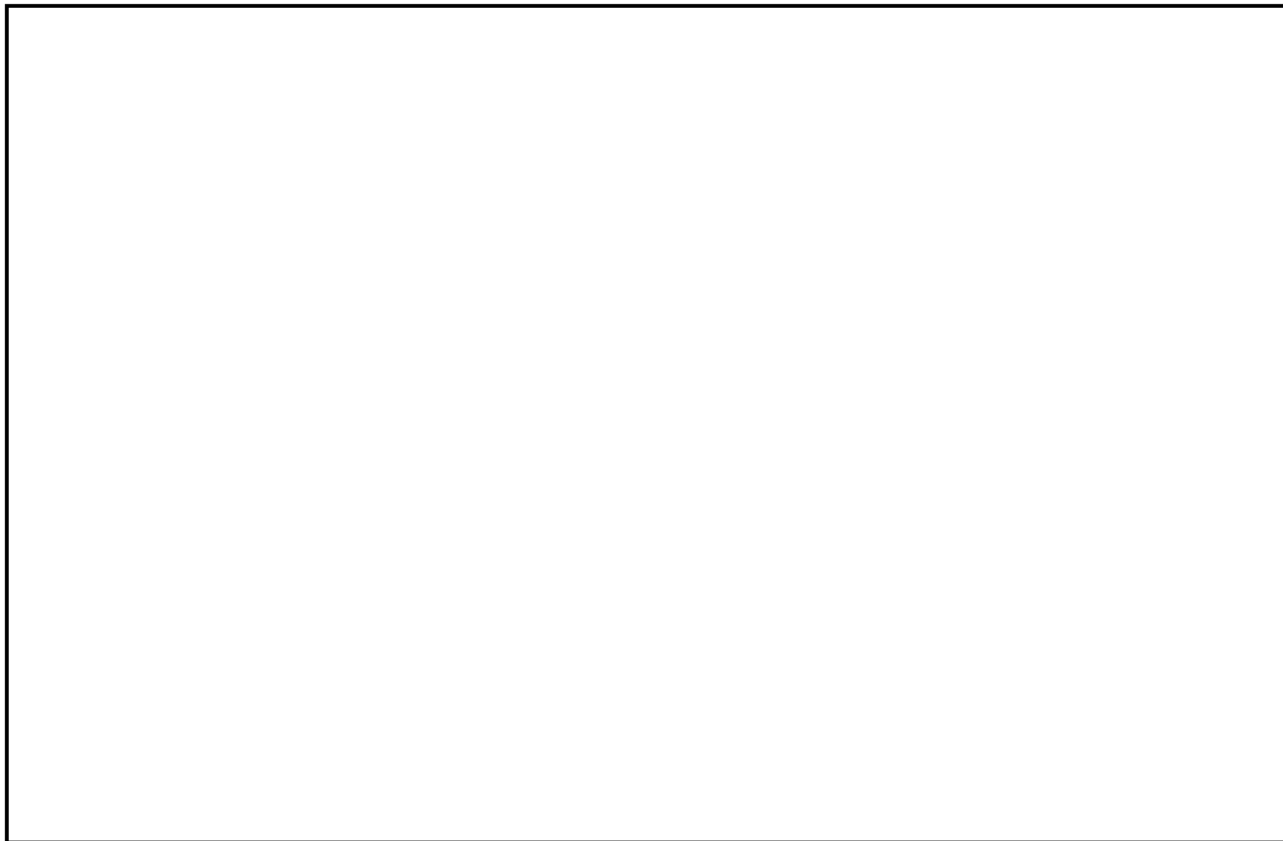
b6 -1  
b7C -1

DONAGHY-472

16-05-07 Case Update

To: New York From: New York  
Re: [REDACTED] 12/05/2007

b7A -1



b6 -2, 4  
b7C -2, 4  
b7D -1

On 08/15/07, DONAGHY [REDACTED] entered a plea of guilty to an Information before the Honorable Judge Carol B. Amon in the U.S. District Court, Eastern District of New York. The charges were wire fraud and gambling conspiracy. In addition, [REDACTED] were charged with wire fraud on a complaint. They surrendered to [REDACTED] agents on 08/15/07 and were arraigned before Magistrate Reyes. [REDACTED]

b6 -2  
b7C -2  
b7E -9

[REDACTED] An indictment should be forthcoming in late fall 2007.



b6 -2, 4  
b7C -2, 4  
b7D -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/15/2008

To: New York

Attn: Evidence Unit

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: ASAC [redacted]  
SSA [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)-[redacted]

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: Re-charging of evidence.

Reference: [redacted]

b7E -1  
b3 -1

Details: On 10/16/2007, [redacted] was

charged out in the above case. Due to the fact that the investigation is still ongoing, it is necessary to re-charge out the item.

♦♦

[redacted]	
SEARCHED	INDEXED
SERIALIZED	FILED
JAN 15 2008	
FBI-NEW YORK	
[redacted]	DONAGHY-479

b7A -1

b6 -1  
b7C -1

UPLOADED 1/17/08 pth

PNH

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/25/2008

To: New York

From: New York

Contact: SA [redacted] BOMRA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: OPERATION FLAGRANT FOUL

Synopsis: Presentence Investigation Report (PSR) of TIMOTHY DONAGHY.

Enclosure(s): PSR of TIMOTHY DONAGHY and letter dated 01/10/2008 from [redacted] containing DONAGHY's objections to the PSR.

Details: The United States Probation Office prepared a PSR for TIMOTHY DONAGHY on 12/18/2007. On 01/10/2008, [redacted] attorney for DONAGHY, submitted a letter containing objections to certain parts of the PSR. Attached for the file are the PSR and the letter from [redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1

b6 -3  
b7C -3

b6 -3  
b7C -3

b7A -1

b6 -1  
b7C -1

SEARCHED		INDEXED	
SERIALIZED		FILED	
JAN 28 2008			
FBI - NEW YORK			
[redacted]		[redacted] DONAGHY-480	

donopsr.wpd

Dono PSR 01-25-08

[redacted]  
From: [redacted]  
Sent: Friday, October 05, 2007 6:04 PM  
To: [redacted]  
Cc: [redacted]  
Subject: Travel to [redacted] Division

b6 -1, 4  
b7C -1, 4  
b7D -1

UNCLASSIFIED  
NON-RECORD

b6 -1, 4  
b7A -1  
b7C -1, 4  
b7D -1

[redacted]  
As per our phone call today here is the information regarding the travel of NY SA's [redacted]  
[redacted] SA's [redacted] will arrive in the [redacted] Division on Sunday 10/07/07 and depart Monday  
10/08/07. The purpose of this travel is for interview/subpoena service on [redacted] located at [redacted]  
[redacted]

[redacted] The case is entitled  
Operation: Flagrant Foul; [redacted]

The SA's have been provided with your cell phone number if the need should arise for additional assistance. SAC NY  
Criminal Division concurs with this proposed travel.

[redacted]  
Thanks very much.  
[redacted]

b6 -1  
b7C -1

SA [redacted]  
BQMRA [redacted]  
EXT. [redacted]  
CELL [redacted]

b7E -9

UNCLASSIFIED

DO NOT UPLOAD

[redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 09 2007	
FBI - NEW YORK	

[redacted] [redacted] [redacted]

[redacted]  
b7A -1

b6 -1  
b7C -1



[Redacted]

b6 -1  
b7C -1

To: [Redacted]  
Cc: [Redacted]  
Subject: Travel to the [Redacted]

b7E -8

[Redacted]

b3 -1  
b6 -1, 4  
b7C -1, 4  
b7D -1  
b7E -8

Thank you for obtaining concurrence from the SAC [Redacted] for [Redacted] and myself to travel [Redacted]. As we discussed earlier, the purpose of this travel is to interview and execute two (2) Federal Grand Jury Subpoenas, issued by the EDNY [Redacted] are believed to have information and connectivity to the ongoing FBI investigation into the NBA, with particular emphasis on the [Redacted] allegation(s). SA [Redacted] and I intend to travel [Redacted] on or about 10/10/07, returning to the NY Division on or about 10/12/07.

As you provided, we have the name of SSA [Redacted] should we require any assistance.

SAC NY Criminal Division also concurs with travel.

b6 -1  
b7C -1

Thanks for facilitating travel approval for us.

[Redacted]

SA [Redacted]  
[Redacted] BQMRA  
Ext: [Redacted]  
Cell: [Redacted]

b7E -9

Do NOT upload

b7A -1

(X) [Redacted]  
1305

[Redacted]

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 09 2007	
FBI - NEW YORK	

[Redacted] [Redacted] b7E

b6 -1  
b7C -1

[Redacted]		[Redacted]
SEARCHED	(A)	FILED (A)
SERIALIZED	(A)	FILED (A)
FEB 19 2003		
[Redacted]		ppr
		b7A -1
		b6 -1
		b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/17/2007

To: New York

Attn: [redacted] FMU

b6 -1  
b7C -1

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

b7E -9

Approved By: ASAC [redacted]  
SSA [redacted]

b6 -1  
b7C -1

Drafted By: [redacted] GNA

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: [redacted]

b3 -1

Enclosure(s): [redacted] a

Subpoena [redacted]

Details: In furtherance of the above-captioned case, a Subpoena seeking [redacted] was served upon [redacted] [redacted] was received from [redacted]

b3 -1

[redacted]

♦♦

Uploaded

b7A -1

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 17 2007	
FBI - NEW YORK	
DONAGHY-514	

b3 -1  
b6 -1  
b7C -1

[redacted]

9-17-07 pymtec07.wpd

b3 -1

TS:ld  
F.#

# United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

Please provide this information on computer disk, if available,  
otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT   FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE:  )  
\*Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

04/13/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

  AUSA ONE  
PIERRESPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

\*If not applicable, enter "none."

To be used in lieu of AQ119

FORM 100-217  
Revised April 2000

\*\* TOTAL PAGE 02 \*\*

b3 -1

b3 -1

b3 -1  
b6 -2, 3  
b7C -2, 3

b6 -1  
b7C -1

b6 -6  
b7C -6

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/02/2008

To: New York

Attn: ECU

From: New York

[redacted] BOMRA

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending) - [redacted]

Title: OPERATION FLAGRANT FOUL

Synopsis: To document late submission of evidence.

Details: [redacted] was received  
[redacted] on or about 07/06/2007. Also received [redacted] was

[redacted] This evidence is being  
submitted delinquent due to administrative oversight.

♦♦

b7E -9

b6 -1

b7C -1

b7A -1

b7D -1

b7A -1

b6 -1

b7C -1

UPLOADED 4/4/08 pth

[redacted]	
SEARCHED	INDEXED
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APR 02 2008	
FBI - NEW YORK	
DONAGHY-517	

late end ec

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
Civil Action# 17-CV-03081

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Page 111 ~ b6 - 3; b7C - 3; b7E - 7;  
Page 112 ~ b6 - 3; b7C - 3; b7E - 7;

Page 113 ~ b6 - 3; b7C - 3; b7E - 7;  
Page 122 ~ b6 - -1,3; b7A - -1; b7C - -1,3; b7E - -6,9;  
Page 123 ~ b6 - -1,3; b7A - -1; b7C - -1,3; b7E - -6,9;  
Page 144 ~ b6 - -1,3; b7A - -1; b7C - -1,3; b7E - -6,9;  
Page 145 ~ b6 - 2, 3; b7A - 1; b7C - 2, 3; b7E - 6, 7;  
Page 146 ~ b7E - -7;  
Page 147 ~ b6 - 1; b7C - 1;  
Page 151 ~ b7A - 1;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
X Deleted Page(s) X  
X No Duplication Fee X  
X For this Page X  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 05/28/2008

To: Philadelphia

Attn: SSA [REDACTED]  
[REDACTED]

From: New York, [REDACTED]

BQMRA

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED] JH

Case ID #: [REDACTED] (Pending)

Title: OPERATION FLAGRANT FOUL

Synopsis: Information of possible relevance to Philadelphia Division.

Enclosure(s): FD-302's from above-captioned investigation.

Details: During the course of the above investigation into the illegal actions of an NBA referee and his co-conspirators, information was acquired which may be useful to the Philadelphia Division. Included is information related to bookmakers/gamblers in Southeast Pennsylvania.

Attached are FD-302's [REDACTED]

[REDACTED] Also included is an FD-302 of an interview with [REDACTED] [REDACTED] have pled guilty in this case and are scheduled to be sentenced on 07/11/2008. [REDACTED] [REDACTED] were not charged in this case.

b6 -1

b7C -1

b7E -9

b7E -9

b6 -1

b7C -1

b7A -1

b6 -2, 3

b7C -2, 3

b7A -1

b6 -1

b7C -1

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 30 2008	
FBI - NEW YORK	

[REDACTED] [REDACTED] JH

DONAGHY-518

Philly EC.5-28-08



To: Philadelphia From: New York  
Re: [REDACTED], 05/28/2008

b7A -1

LEAD(s):

Set Lead 1: (Discretionary)


PHILADELPHIA

AT PHILADELPHIA

Information is being provided to Philadelphia Division  
for use in its' discretion.

♦♦

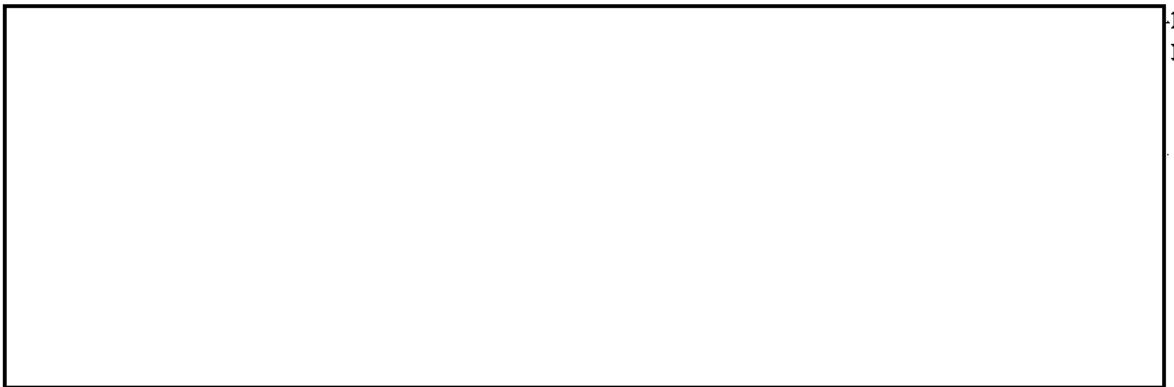
6/10/08

Received <sup>from</sup> ~~by~~ <sup>(PWA)</sup> 

on 6/10/2008

b6 -3  
b7C -3

the following:



b6 -2  
b7C -2



b6 -1  
b7C -1

Special Agent, FBI

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/12/2008

To: New York

From: New York

Contact: SA [redacted] BOMRA

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted] Wff

Case ID #: [redacted] (Pending) [redacted]

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: To open a subfile for FD-192's.

Details: It is recommended that a subfile be opened for FD-192's (Evidence greensheets). The subfile will be [redacted]

b7A -1

♦♦

Open Subfile [redacted]  
6/13/08  
[Signature]  
6/16/08 [Signature]

b7A -1

UPLOADED 6/1/08 pth

FD-192.2C

SEARCHED	INDEXED
[redacted]	
JUN 13 2008	
FBI-NEW YORK	
DONAGHY-553	
[redacted]	

b6 -1  
b7C -1

UPLOADED 7/2/08 pth

[Redacted]	
SEARCHED	INDEXED
SERIALIZED <i>pth</i>	FILED <i>pth</i>
JUN 30 2008	
FBI - NEW YORK	
[Redacted]	<i>PNH</i>

b7A -1  
b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/20/2008

To: Criminal Investigative  
New York

Attn: [redacted]  
ASAC [redacted]  
SA [redacted]

b6 -1  
b7C -1  
b7E -8

From: Criminal Investigative

Contact: SSA [redacted]

b7E -8  
b6 -1  
b7C -1  
b7E -8

Approved By: [redacted]

Drafted By: [redacted] rft

Case ID #: [redacted] (Pending) [redacted]

b7A -1

Title: SPORTS PRESENTATION PROGRAM;  
BRIEFING MATERIAL;  
TIMOTHY DONAGHY,  
NBA REFEREE,  
ILLEGAL SPORTS GAMBLING

①  
JNH

Synopsis: To notify FBI New York of the information contained within a field wide communication which furnishes Special Agents providing "Sports Presentations" with background information with respect to FBI New York's investigation of Timothy Donaghy, NBA referee, [redacted]

b6 -2

[redacted] FBI New York has approved the use of this material in conjunction with "Sports Presentations."

b7C -2

Details: Tim Donaghy was an NBA referee for 13 years. As presenters are aware, wagering on sporting competitions is illegal in the US except in Las Vegas. Furthermore, through their employment contracts, the National Basketball Association (NBA) prohibits referees from having any involvement in sports betting or bookmaking, with the exception that in the NBA off-season, referees are permitted to place bets on horse races where said activity is legal. NBA referees are specifically prohibited from providing information to others for the purpose of assisting others in placing bets.

FBI New York investigation determined that in 2003, Donaghy began placing bets on baseball and football games through [redacted] acquaintance of his. Shortly thereafter, Donaghy began placing bets on NBA games, including those he officiated.

b6 -3

b7C -3

Donaghy claimed he began betting on sporting events after becoming disgruntled that he was not being promoted as rapidly within the ranks of the NBA referees as were his contemporaries.

DONAGHY-557

To: Criminal Investigative  
From: Criminal Investigative  
Re: [REDACTED]

b7A -1

Donaghy continued betting on games, including those he officiated, with [REDACTED] acquaintance through the fall of 2006.

b6 -2, 3  
b7C -2, 3

In December 2006, [REDACTED]

b6 -2  
b7C -2

Donaghy, [REDACTED] were indicted in US District Court for the Eastern District of New York on charges related to their illegal sports bookmaking activity.

b6 -2  
b7C -2

On 08/15/2007, former NBA Referee Tim Donaghy entered a guilty plea to federal wire fraud and transmitting wagering information charges in US District Court for the Eastern District of New York. Sentencing is pending. Donaghy has paid \$30,000 in restitution. [REDACTED]

b6 -2  
b7C -2

Donaghy admitted betting on games he officiated

b6 -2  
b7C -2

To: Criminal Investigative  
From: Criminal Investigative  
Re: [REDACTED]

b7A -1

[REDACTED]

b6 -2  
b7C -2

Donaghy resigned after 13 years as a referee. NBA Commissioner Stern has stated he would have terminated Donaghy's employment with the NBA irrespective of criminal prosecution.

[REDACTED] entered guilty pleas to illegal gambling and wire fraud, namely the defrauding of the NBA, respectively.

b6 -2  
b7C -2

[REDACTED]

b6 -2  
b7C -2  
b7E -8

To: Criminal Investigative  
From: Criminal Investigative  
Re: [REDACTED]

b7A -1

LEAD(s):

Set Lead: (Information)

NEW YORK

AT NEW YORK, NEW YORK

Read and Clear

♦♦

[REDACTED]

b7E -2



[Redacted]		[Redacted]
SEARCHED	INDEXED	b7A -1
SERIALIZED	FILED <i>AP</i>	
JUL 08 2008		<i>m</i>
FBI - NEW YORK		
[Redacted]	[Redacted]	<i>put</i>

b6 -1  
b7C -1

UNCLASSIFIED

**FEDERAL BUREAU OF INVESTIGATION**

Precedence: ROUTINE

Date: 07/31/2008

To: New York

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted] *PNH*

Case ID #: [redacted] (Pending)

b7A -1

Title: OPERATION FLAGRANT FOUL

Synopsis: Sentences in case.

Details: On 07/24/2008, [redacted] were sentenced in the above-matter. [redacted] was sentenced to 15 months in prison while [redacted] was sentenced to one year and one day in prison. [redacted] is scheduled to surrender to BOP on 09/18/2008 and [redacted] is scheduled to surrender on 10/16/2008.

b6 -2  
b7C -2

On 07/29/2008, TIM DONAGHY was sentenced in the above-matter to 15 months in prison. He is to surrender to BOP on 09/23/2008.

All three were ordered to pay in restitution the amount of \$217,266.94, jointly and severally.

♦♦

UNCLASSIFIED

[redacted] b7A -1

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 31 2008	

[redacted] *PNH*

b7A -1

b6 -1  
b7C -1

*Sentencing EC. upd*

DONAGHY-567

# **Accomplishment Report** (Accomplishment must be reported and loaded into ISRAA within 30 days from date of accomplishment)

Date Prepared 08/18/08  
Date Loaded 8/18/08  
Data Loader's Initials PL

☒ Squad supervisor approval  
(please initial)

Accomplishment involves:  
(check all that apply)

- Drugs ☐  
A Fugitive ☐  
Bankruptcy Fraud ☐  
Computer Fraud/Abuse ☐  
Corruption of Public Officials ☐  
Money Laundering ☐  
Sub Invest Asst by FO (s) ☐

Asst. FO(s)              
A, B, C, D

Task Force

File Number

Stat Agent Soc. Sec. No.

Stat Agent Name

RA Squad

Assisting Agents Soc. Sec. No. <sup>x</sup>

1.   

Name:   

2.   

Name:   

## **Investigative Assistance or Technique Used**

- 1 - Used, but did not help  
2 - Helped, minimally  
3 - Helped, substantially  
4 - Absolutely essential  
For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO

Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT
	Fin. Analyst			Lab. Div. Exam			UCO - Group I			Ft. Mon. - ITC	
	Aircraft Asst.			Lab. Field Sup			UCO - Group II			For. Lang Asst.	
	Computer			Pen Registers			UCO - Nat. Back			Non FBI Lab Ex	
	Consen Mon.			Photo Cover			NCAVC / VI - CAP			Viol-Witn Coor	
	Elsur / FISC			Polygraph			Crim/NS Intel Asst			IO Wanted Flyer	
	Elsur / T. III			Search Warrant			Crisis Neg. - Fed.			SARs	
	Eng. Field Spl.			Show Money			Crisis Neg. - Local			CART	
	Eng. Tape Ex			SOG Asst.			ERT Asst.			Asset Forf Prog	
	Legats Asst.			Swat Team			Bulte - ITC			Forf Support Proj	
	Evid Purchase			Tech. Ag/Equip.			Sav - ITC			TFOS/CTD	
	Inf/CW Info			Phone Toll Rec			Poc - ITC				

### A. Complaint / Information / Indictment

☐ Federal ☐ Local ☐ International

Complaint Date:   

Check if Civil Rico Complaint ☐

Information Date:   

Indictment Date:   

### B. Locate/Arrest

☐ Federal ☐ Local ☐ International

Subject Priority: ☐ A ☐ B ☐ C

Locate Date:   

Arrest Date:   

☐ Subject Resisted Arrest

☐ Subject Arrested was Armed

### C. Summons Date:

☐ Federal ☐ Local

### D. Recovery/Restitution/PELP X

☐ Federal ☐ Local ☐ International

Recovery Date:   

Code \*    Amount \$   

Code \*    Amount \$   

Restitution Date: 7/19/2008

☒ Court Ordered ☐ Pretrial Diversion

Code \* 01 Amount \$ 195,466.94

PELP Date:   

Code \*    Amount \$   

### E. Hostage(s) Released Date:

Released by: ☐ Terrorist ☐ Other

Number of Hostages:   

### F. Conviction

☐ Federal ☐ Local ☐ International

Conviction Date:   

Subject Description Code:    \* (    ) \*

For 6F, G, H-Include Agency Code

☐ Felony or ☐ Misdemeanor

☐ Plea or ☐ Trial

State:    Judicial District:   

### G. U.S. Code Violation

Required for sections A,B,F,and J

(Federal Only)

Title Section # Counts

### H. Sentence Date: 07/29/2008

Sentence Type: IS

In Jail: Years 1 Months 3

Suspended: Years    Months   

Probation: Years    Months   

Fines: \$ 30,000

### I. Disruption/Dismantlement: ☒

Disruption Date:   

Dismantlement Date:   

Completion of FD-515a Side 2 Mandatory

### J. Civil Rico Matters Date:

Also Complete "Section G"

Other Civil Matters Date:   

Judgment    \*   

Judicial Outcome    \*   

Amount \$   

Suspension: Years    Months   

### K. Administrative Sanction Date:

Subject Description Code    \*

Type: Length:

☐ Suspension ☐ Permanent

☐ Debarment or

☐ Injunction Year    Months   

### L. Asset Seizure Date:

Asset Forfeiture Date:   

CATS # Mandatory   

Circle below one of the three asset forfeiture:

Admin, Civil Judicial, or Criminal

Do not indicate \$ value in Section D

### M. Acquittal/Dismissal/Pretrial Diversion

(circle one) Date:   

### N. Drug Seizures ☒ Date:

Drug Code \*   

Weight    Code \*   

FDIN   

Do not indicate \$ value in Section D

### O. Child Victim Information

Child located/identified Date:   

☐ Living ☐ Deceased

### P. Subject Information - Required for all blocks excluding block D (Recovery/PELP), blocks E, I, L, and N.

Name	Race*	Sex	Date of Birth	Social Security No. (if available)
<u>TIMOTHY FRANCIS DONAGHY</u>	<u>W</u>	<u>M</u>	<u>  </u>	<u>  </u>

For Indictments/Convictions only

☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC), Russian/Eastern European/Caribbean, or Nigerian Organized Crime Group

☐ Complete FD-515a, Side 1 Blocks A-E mandatory, F-H as appropriate.

☐ Subject related to an OC/Drug Organization, a VCMO Program National Gang Strategy target group, or a VCMO Program National Priority Initiative target group -

Complete FD-515a, Side 1 Blocks A-C only.

Serial No. of FD-515

x Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

\* See codes on reverse side.

✓ Requires that an explanation be attached and loaded into ISRAA for recovery over \$1m and PELP over \$5, disruption, dismantlement, and drug seizures.

DONAGHY-568

For Further Instructions See: MAOP, Part II, Sections 3-5 thru 3-5.3.

#### PROPERTY CODES

01- Cash  
02 Stocks, Bonds or Negot. Instruments  
03 General Retail Merchandise  
04 Vehicles  
05 Heavy Machinery & Equipment  
06 Aircraft  
07 Jewelry  
08 Vessels  
09 Art, Antiques or Rare Collections  
11 Real Property  
20 All Other

#### SENTENCE TYPES

CP Capital Punishment  
JS Jail Sentence  
LP Life Parole  
LS Life Sentence  
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)  
PB Probation  
SI Suspension of Jail Sentence  
YC Youth Correction Act

#### FELP CODES

22 Counterfeit  
Stocks/Bonds/Currency/  
Negotiable Instruments  
23 Counterfeit/Pirated Sound  
Recordings or Motion Pictures  
24 Bank Theft Scheme Aborted  
25 Ransom, Extortion or Bribe  
Demand Aborted  
26 Theft From or Fraud Against  
Government Scheme Aborted  
27 Commercial or Industrial  
Theft Scheme Aborted  
30 All Other

#### RACE CODES

A Asian/Pacific Islander  
B Black  
I Indian/American  
U Unknown  
W White  
X Nonindividual

#### AGENCY CODES

AFOSI Air Force Office of Special Investigations  
ACIS Army Criminal Investigative Service  
BATF Bureau of Alcohol, Tobacco & Firearms  
BIA Bureau of Indian Affairs  
DCAA Defense Contract Audit Agency  
DCIS Defense Criminal Investigative Service  
DEA Drug Enforcement Administration  
DOC Department of Corrections  
DOI Dept. of Interior  
DHS Dept. of Homeland Security  
EPA Environmental Protection Agency  
FAA Federal Aviation Administration  
FDA Food and Drug Administration  
HHS Dept. of Health & Human Services  
HUD Dept. of Housing & Urban Development  
ICE Immigration and Customs Enforcement  
IRS Internal Revenue Service  
NASA Nat'l Aeronautics & Space Admin  
NBIS Nat'l NARC Border Interdiction  
NCIS Naval Criminal Investigative Service  
RCMP Royal Canadian Mounted Police  
SBA Small Business Administration  
USBP U.S. Border Patrol  
USCG U.S. Coast Guard  
USCS U.S. Customs Service  
USDS U.S. Department of State  
USMS U.S. Marshals Service  
USPS U.S. Postal Service  
USSS U.S. Secret Service  
USTR U.S. Treasury  
LOC Local  
CITY City  
COUN County  
ST State  
OTHR Other

#### JUDGMENT CODES

CJ Consent Judgment  
CO Court Ordered Settlement  
DF Default Judgment  
DI Dismissal  
JN Judgment Notwithstanding  
MV Mixed Verdict  
SJ Summary Judgment  
VD Verdict for Defendant  
VP Verdict for Plaintiff

#### JUDICIAL OUTCOME

AG Agreement  
BR Barred/Removed  
CC Civil Contempt  
DC Disciplinary Charges  
FI Fine  
PI Preliminary Injunction  
PR Temporary Restraining Order  
PS Pre-filing Settlement  
RN Restitution  
SP Suspension  
VR Voluntary Resignation  
OT Other

#### SUBJECT PRIORITY

A Subject wanted for crimes of violence  
(i.e., murder, manslaughter, forcible rape)  
against another individual or convicted of  
such a crime in the past five years.  
B Subject wanted for crimes involving loss  
or destruction of property valued in excess  
of \$25,000 or convicted of such a crime  
in the past five years.  
C All other subjects.

#### DRUG CODES

COC Cocaine  
HER Heroin  
HSH Hashish  
KAT Khat  
LSD LSD  
MAR Marijuana  
MDM Methylendioxyamphetamin  
MET Methamphetamine  
MOR Morphine  
OPM Opium  
OTD Other drugs

#### DRUG WEIGHT CODES

GM Gram(s)  
KG Kilogram(s)  
L Liter(s)  
ML Milliliter(s)  
P Pound(s)  
DU Dosage Unit(s)

#### SUBJECT DESCRIPTION CODES

#### ORGANIZED CRIME SUBJECTS

IF Boss  
IG Underboss  
IH Consigliere  
IJ Acting Boss  
IK Capodecina  
IL Soldier

#### KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive  
2B Top Thief  
2C Top Con Man

#### FOREIGN NATIONALS

3A Legal Alien  
3B Illegal Alien  
3C Foreign Official W/out  
Diplomatic Immunity  
3D U.N. Employee W/out  
Diplomatic Immunity  
3E Foreign Student  
3F All Others

#### TERRORISTS

4A Known Member of a  
Terrorist Organization  
4B Possible Terrorist Member  
or Sympathizer

#### UNION MEMBERS

5D President  
5E Vice-President  
5F Treasurer  
5G Secretary/Treasurer  
5H Executive Board Member  
5I Business Agent  
5J Representative  
5K Organizer  
5L Business Manager  
5M Financial Secretary  
5N Recording Secretary  
5P Office Manager  
5Q Clerk  
5R Shop Steward  
5S Member  
5T Trustee  
5U Other

#### GOVERNMENT SUBJECTS

(6F, 6G, 6H- include Agency Code)

6A Presidential Appointee  
6B U.S. Senator/Staff  
6C U.S. Representative/Staff  
6D Federal Judge/Magistrate  
6E Federal Prosecutor  
6F Federal Law Enforcement Officer  
6G Federal Employee - GS 13 & Above  
6H Federal Employee - GS 12 & Below  
6I Governor  
6K Lt. Governor  
6L State Legislator  
6M State Judge/Magistrate

#### Continuation of GOVERNMENT SUBJECTS

6N State Prosecutor  
6P State Law Enforcement Officer  
6Q State - All Others  
6R Mayor  
6S Local Legislator  
6T Local Judge/Magistrate  
6U Local Prosecutor  
6V Local Law Enforcement Officer  
6W Local-All Others  
6X County Commissioner  
6Y City Councilman

#### BANK EMPLOYEES

7A Bank Officer  
7B Bank Employee

#### OTHERS

8A All Other Subjects  
8B Company or Corporation

#### CHILD PREDATORS

9A Child Care provider  
9B Clergy  
9C Athletic Coach  
9D Teacher/Aide  
9E Law Enforcement Personnel  
9F Counselor  
9G Relative  
9H Stranger  
9I Other

08/18/2008

\*\*\*\*\* RESTITUTION \*\*\*\*\*

~~SENSITIVE~~ / UNCLASSIFIEDCase Number:   
Serial No.: Stat Agent Name:   
Stat Agent SOC: Report Date: 08/18/2008  
Accom Date.: 07/19/2008b6 -1  
b7A -1  
b7C -1

## Does Accomplishment Involve

Drugs . . . . . : N  
A Fugitive. . . . . : N  
Bankruptcy Fraud. . . . . : N  
Computer Fraud/Abuse. . . . . : N  
Corruption of Public Officials: N  
Money Laundering. . . . . : N

## Assisting Agents SOC

## Subject Name

DONAGHY, TIMOTHY, FRANCIS

b6 -1  
b7C -1  
b7E -3

RA Squad Task Force

D2 

b7E -9

Sub. Invest. Asst by Other FOs:

## Investigative Assistance or Technique Used

FINAN ANALYST	LAB FIELD SUP	UCO - NAT BACK	VICT-WITH COOR
AIRCRAFT ASST	PEN REGISTERS	NCAVC/VI-CAP	IO WANTED FLYR
COMPUTER ASST	PHOTO COVERGE	CRIM/NS INTEL	SARS
CONSEN MONITR	POLYGRAPH	CRIS NEG-FED	CART
ELSUR/FISC	SRCH WAR EXEC	CRIS NEG-LOC	ASSET FORF PRO
ELSUR/III	SHOW MONEY	ERY ASST	FORF SUPPORT P
ENG FIELD SUP	SOG ASST	BUTTE-ITC	TFOS/CTD
ENG TAPE EXAM	SWAT TEAM	SAVANNAH-ITC	CXS/CTD
LEGATS ASSY.	TECH AG/EQUIP	POC-WRCSC	INFRAGARD/CYD
EVIDNCE PURCH	TEL TOLL RECS	FT. MON-NRCSC	OFC/CID
INFORMANT/CW	UCO-GROUP I	FOR LANG ASST	PPP
LAB DIV EXAMS	UCO-GROUP II	NON FBI LAB EX	

1 = Used, but did not help  
2 = Helped, Minimally  
3 = Helped, Substantially  
4 = Absolutely Essential

Restitution is for Federal, Local, or International (F/L/I)....: F  
Restitution Court Ordered or by Pretrial Diversion (C/P).....: C

## Restitution Property

CODE	AMOUNT	CODE	AMOUNT
01	\$ 19546694		\$

## Accomplishment Narrative

TIMOTHY FRANCIS DONAGHY, RACE:WHITE, SEX:MALE, DATE OF BIRTH:  AND  
SSAN:

b6 -2  
b7C -2~~SENSITIVE~~ / UNCLASSIFIED

DONAGHY-570

*H*

[Redacted]	
SEARCHED	ED
SERIALIZED	FILED <i>B</i>
JAN 15 1969	
FBI - NEW YORK	
[Redacted]	<i>PMH</i>

[Redacted]

b7A -1

b6 -1  
b7C -1

W

[REDACTED]	
SEARCHED	INDEXED
SERIALIZED	FILED <i>PR</i>
JAN 28 2009	
FBI - NEW YORK	
[REDACTED]	<i>PMH</i>

[REDACTED]

b7A -1

b6 -1  
b7C -1

SEARCHED		INDEXED	
SERIALIZED		FILED	
MAY 11 2009			
FBI - NEW YORK			
		C. J. H.	

b6 -1  
b7C -1



[Redacted]	
SERIALIZED	FILED
DEC 10 2009	
[Redacted]	YORK

b6 -1  
b7C -1

## LexisNexis® Investigative Portal

**People & Businesses in the News Results****Search Terms:** With the Words: **mafia**; Date: **12/01/2009-12/02/2009**; Source: **News**

26.

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The Philadelphia Daily News

December 2, 2009 Wednesday  
FINAL Edition

**SECTION:** SPORTS; P-com Biggie Sports; Pg. 75**LENGTH:** 345 words**HEADLINE:** Donaghy ready for rollout of new tell-all**BYLINE:** By WILLIAM BENDER; benderw@phillynews.com**BODY:**

Merry Christmas, David Stern!

Crooked ex-referee Tim Donaghy, fresh out of jail, has arranged for the publication of his tell-all book just in time for the holidays. The perfect stocking stuffer for the NBA commissioner who has everything.

"Personal Foul: A First-Person Account of the Scandal That Rocked the NBA" will be available in bookstores nationwide by Christmas. It will be prereleased Friday to select outlets.

Donaghy, the Villanova grad who recently completed a federal prison sentence for gambling on basketball games through two Philadelphia-area associates, will discuss his memoir on "60 Minutes" in an interview with Bob Simon tentatively scheduled to air Sunday.

VTi-Group, a Tampa Bay-based media company, decided to publish Donaghy's 245-page book after Random House scrapped it.

It originally was titled "Blowing the Whistle: The Culture of Fraud in the NBA," and accuses several referees, by name, of misconduct, according to excerpts posted in October at the sports Web site Deadspin.com.

Benjamin Daniel, a VTi-Group project manager, said yesterday that no substantial copy editing was done to the book since that version, except to correct a few typos.

The NBA has said that a 14-month review by former federal prosecutor Lawrence Pedowitz showed that Donaghy was the only referee involved in criminal conduct, but that it would look into the new accusations in the book.

VTi-Group said that the memoir, along with the "60 Minutes" interview, "will finally answer many of the questions about his gambling, the NBA games that were affected and the involvement with the New York Mafia."

James "Baba" Battista, a former friend of Donaghy's from their days at Cardinal O'Hara High, said in a

DONAGHY-587

recent segment on HBO's "Real Sports" that he called Donaghy "the king - Elvis. Because nobody picked winners like he did. Nobody."

Battista and another local O'Hara alum, Thomas Martino, pleaded guilty last year to illegal gambling and wire fraud, respectively, for paying Donaghy cash for basketball picks that Battista said were correct nearly 80 percent of the time.

**GRAPHIC:** Feed Loader

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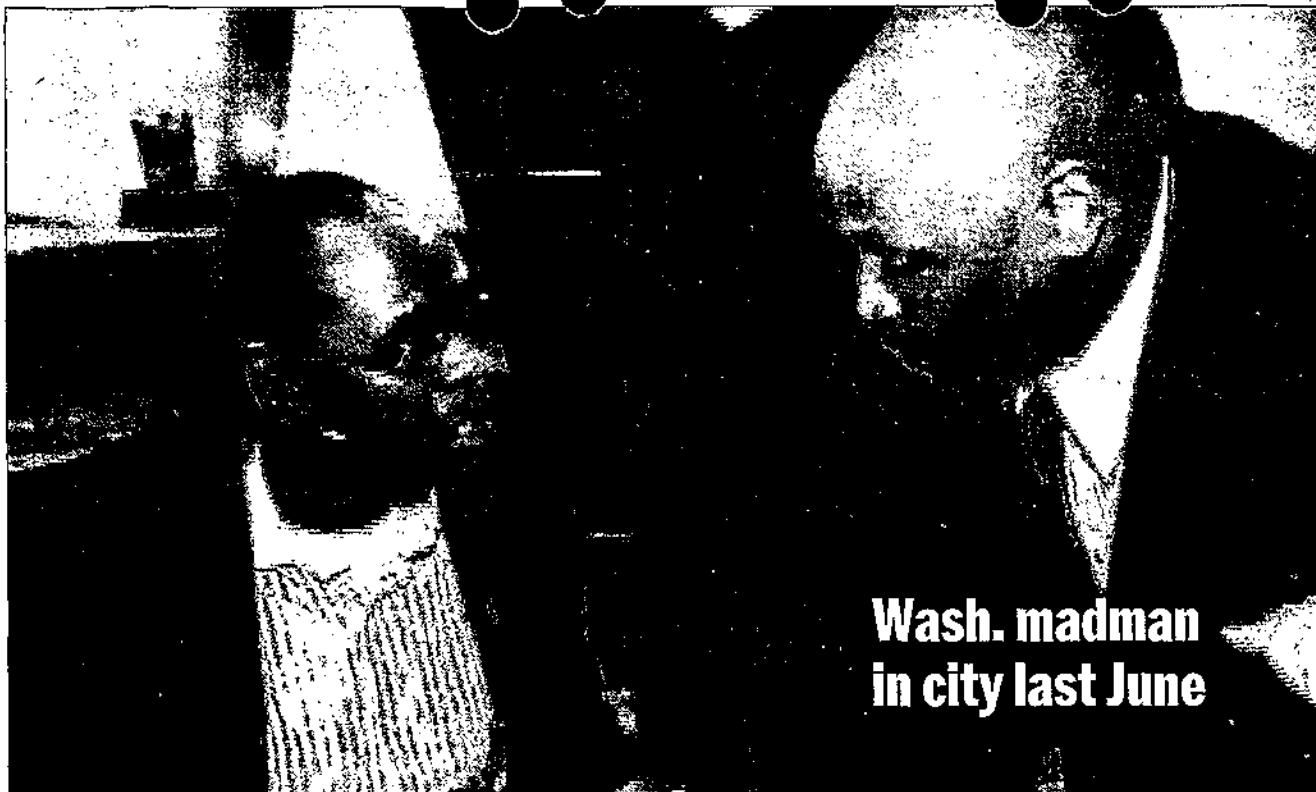
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## Wash. madman in city last June

Riverside Drive Bishop Bernard Jordan (left) meets with cop killer Maurice Clemmons in June. Clemmons told the bishop he drove three days to get to New York because "God called" him.

# Killer thought he was Jesus

BY HELEN KENNEDY  
DAILY NEWS STAFF WRITER

**SEATTLE COP KILLER** Maurice Clemmons — shot dead yesterday by a lone patrolman — drove to New York in June to see a Manhattan minister, declaring God told him to make the trip.

He disturbed a June 13 prayer service, trying to rush the stage and yelling, and then approached Bishop Bernard Jordan at his gala 50th birthday banquet the next day.

"He said he was Jesus. I was kind of shocked," Jordan told the Daily News.

"We said, 'If you keep talking like that, you will be locked up

## Manhattan pastor counseled gunman who shot Seattle cops

and put away. I'm not a professional in mental health, but you can always tell when someone's nuts."

Clemmons, 37, told Jordan he was running from the police, who wanted him for vandalism. He said he had driven for three days to New York because "God called me."

The minister — who claims to be a prophet and runs a lucrative "cyber-ministry" on Riverside Drive — told him to go home and turn himself in. "I told him, 'I am sensing strongly that this is something you should do. You should

not be on the run. You should get help,'" Jordan said.

Clemmons, a devotee of Jordan's online chats, appears to have listened. Two weeks later, he showed up at a July 1 Seattle court hearing and was promptly arrested on charges ranging from vandalism to child rape.

When he made bail last week, he was so angry at his imprisonment that he shot four random uniformed cops doing paperwork in a suburban Seattle coffee shop Sunday, officials said.

"The only motive we have is that he decided he was going to go kill police officers. He was angry

about being incarcerated," said Pierce County sheriff's spokesman Ed Troyer.

Patrolman Benjamin Kelly ended the manhunt for Clemmons at 2:45 a.m. when he stumbled upon the suspected killer by his broken-down stolen car.

Clemmons refused orders to show his hands and Kelly shot him, authorities said.

Police then began rounding up a half-dozen friends and relatives who helped the ex-con while he was on the lam.

"We don't think anyone helped him plan this murder, but his family has enabled him. Even

after he killed four officers, they continued to try and save him," Troyer said.

He said they gave Clemmons medical aid, phones, cars and money and tried to help hide him. There was speculation they also made some bogus 911 calls that had police running all over town, chasing ghosts. "They are going to pay for it," Troyer said.

A huge memorial for the slain officers is planned Tuesday in Tacoma.

hkennedy@nydailynews.com

**VIDEO: Cop killer's church outburst caught on tape.**

NYDailyNews.com/news

## Bubba's a 'very' proud papa

FORMER President Bill Clinton looked like one proud papa yesterday when asked for the first time about daughter Chelsea's upcoming nuptials.

Asked at an AIDS symposium at Columbia University how excited he was about the prospect of walking his only child down the aisle, a beaming Clinton replied, "Very."

As for his future son-in-law, investment banker Marc Mezvinsky, 31, Clinton gushed, "He's great. He's a great human being."

Aides were mum on Chelsea's whereabouts yesterday, but cautioned that she might not be sporting her engagement ring immediately. The ring is in the shop getting properly sized, insiders said.

David Saltonstall

## Breast-feeding ma smothers baby

LONDON — A breast-feeding mother accidentally smothered her 4-week-old child aboard a United Airlines flight from Washington to Kuwait, a newspaper reported yesterday.

The mother, a 29-year-old Egyptian-born woman, fell asleep as she breast-fed on the jet on Nov. 25 and awoke to find that the child had been smothered, said Britain's The Sun.

The paper said the plane was diverted to London's Heathrow Airport in an attempt to save the baby's life.

"The death is being treated as unexplained and the child abuse investigation team is investigating the circumstances," the police statement said. The Associated Press

## Rogue ref finds fan of tell-all

CROOKED former NBA referee Tim Donaghy scored a new publisher for his book about corruption in professional basketball.

VTI-Group, a small media company in Tampa Bay, Fla., will release "Personal Foul: A First-Person Account of the Scandal That Rocked the NBA" to Amazon.com on Friday, the company said in a statement.

The tell-all tome, originally titled "Blowing the Whistle," was nixed by Triumph Books last month because lawyers found too many red flags in the text.

Donaghy, 42, served a year in Florida prisons after he pleaded guilty to federal charges that he manipulated games for betting.

Samuel Goldsmith

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## MAKING A BRIGHT NOISE FOR TREE LIGHTING



The chorus from Public School 22 on Staten Island, conducted by Gregg Breinberg, fills the National Christmas Tree Lighting event with music last night in Washington, D.C. while performing for the First Family. Other performers included Sheryl Crow and Common. Photo by Elisa Miller

## Hoops ref got 'offer' from mob

BY BILL HUTCHINSON  
DAILY NEWS STAFF WRITER

**DISGRACED EX-NBA referee** Tim Donaghy claims he won 75% of the bets he placed on basketball games, but the "euphoria" of his picks turned to terror when the mob moved in on his action.

Breaking his silence for the first time, Donaghy tells CBS' "60 Minutes" the Gambino crime family threatened his wife and kids to get him to bet on gambling gurn.

"They basically told me that I needed to give them the picks and if I didn't, that it's a possibility that somebody would go down and visit my wife and kids in Florida," Donaghy said in the interview, set to air on Sunday.

He said the Mafia made millions on his scheme, but paid him only \$2,000 for each correct pick. It was unclear how much he raked in before the mob got involved.

Donaghy, who was booted from the NBA and imprisoned for 11 months for his wayward wagering, said his dirty betting scheme was based on the inside knowledge he gleaned from his hard-court colleagues.

"I knew there were certain relationships that existed between referees and players, referees and coaches and referees and owners that influence the point spreads in games," said Donaghy, adding that he bet on about 100 games over four years.

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# 9/11 words fall short

BY MICHAEL MCAULIFF  
DAILY NEWS WASHINGTON BUREAU

**WASHINGTON** — Angry Sept. 11 responders say President Obama has offered sympathy but no support for their appeal to champion their cause in Congress.

A group of 9/11 widows and rescue workers recently wrote Obama, asking his help to pass a bill that would fund care for ailing responders over the next 30 years.

Obama wrote back Tuesday, the Daily News has learned, saying he understands their plight and values their heroism.

"The individuals suffering health ailments from Sept. 11 and its aftermath deserve proper medical attention," the President wrote. "You served selflessly, and your concerns are of great importance to our country. I remain committed to supporting the heroes of Sept. 11."

But he left out whether he'd get behind the bill.

"It's a nice letter, and I will put it in my scrapbook," said former construction worker John Feal, who lost half a foot at Ground Zero. "But it's no more than a souvenir unless he supports that bill."

"We would have hoped for more," said Kenny Specht, an ex-FDNY lieutenant who survived cancer linked to 9/11, though he was glad Obama made a nod to the illnesses responders face.

The 9/11 health act stalled in the House behind health reform, which has since passed there. It hasn't moved in the Senate since Sen. Kirsten Gillibrand introduced it earlier this year.

House Speaker Nancy Pelosi holds the key to progress in the House, but having Obama on board "would be a tremendous

help," said bill sponsor Rep. Carolyn Maloney (D-Manhattan).

Feal and Specht say if there's no progress by spring, they will shine a harsh light on Congress and the President, starting with a march from Ground Zero to Washington. "We will do a G.Z.-to-D.C. walk, a cancer survivor and a guy with half a foot," said Feal. "We will embarrass them."

A White House spokeswoman insisted Obama shares the goals of the bill, but didn't offer outright support for the legislation.

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## Neigh it ain't so: OTB is bankrupt

**OTB FILED** for bankruptcy yesterday, saying it needs time to reorganize into a leaner, meaner betting machine.

The New York City Off-Track Betting Corp., more than \$500 million in debt, will keep its betting operations going while under Chapter 9 of the federal bankruptcy law.

Despite taking more than \$1 billion in bets a year, OTB has long been unable to cover its costs.

The problem, OTB officials say, is that it must give the state, city and horse racing industry too big of a cut.

OTB leaders plan to ask Albany to rewrite wagering legislation to get a better deal.

Otherwise, OTB Chairman Meyer Frucher said, the agency will run out of cash in February.

"We're not going to be asking for any taxpayer dollars," Frucher said. OTB's reorganization plan calls for a \$250 million bond sale to pay debts and update technology.

ALISON GANDAR DONAGHY-592

# Gov sez, sue me! Pols say they will

BY KENNETH LOVETT  
DAILY NEWS ALBANY BUREAU CHIEF

**ALBANY** — A feisty Gov. Paterson yesterday dared lawmakers to sue him over his plan to unilaterally cut some state payments to deal with the budget gap.

Paterson, in an appearance in Rochester, ripped lawmakers for adopting a \$2.7 billion budget deficit reduction plan that he says won't generate the required savings the state

needs to pay its bills.

He said he plans to go forward with his plan to cut state payments across the board.

"Actions have consequences, and so does inaction," Paterson said.

"They did such a poor job, I'm going to do it even without their permission, and if they want to take me to court they can sue me, but I will not let the state run out of money on our watch."

Sen. Eric Schneiderman (D-Manhattan) said the Legislature or those who get cut will likely do just that.

He said the state's top court in 1980 ruled a governor could not unilaterally impound funds approved for state agencies or programs.

The move would unconstitutionally usurp the role of the Legislature, Schneiderman said.

"The law cannot be clearer on this," Schneiderman said.

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**TIM DONAGHY**  
Appearing on "60 Minutes."

## 'Bet' ref feared 'whack' on kin

By ANDY SOLTIS

Renegade former NBA ref Tim Donaghy claims he gave gangsters insider information to bet on games because he was afraid his wife and four daughters would get whacked.

"They basically told me that I needed to give them the picks and if I didn't, that it's a possibility that somebody would go down and visit my wife and kids in Florida," the disgraced hoops official told "60 Minutes" in an interview to air Sunday on Channel 2.

Each winning pick was worth millions to the mob, but Donaghy got just \$2,000 apiece, he said.

He claimed he was too frightened to care about the money.

Donaghy, an NBA ref for 13 years, said that before he was caught in 2007, he exploited his knowledge of how other referees liked — or hated — certain players, like Philadelphia 76er Allen Iverson.

Iverson "had threatened one of our officials and the NBA fined him \$25,000," he said.

"And we felt as a group that he should have been suspended. And because he wasn't, we felt like we should teach him a lesson," he said.

Donaghy worked a 76ers game on Jan. 6, 2007, and bet against them because he and the other referees "openly discussed" how they felt about Iverson, he claimed.

"And I knew that the other two referees and I sought to do a little justice of our own."

"All the players know that some refs can be biased," he said.

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## Kate is dressed to the 'Nine'

Kate Hudson sports a leggy look at the London premiere of "Nine" yesterday. The actress — who didn't bring her beau, A-Rod, out on the red carpet — is among a Who's Who of hotties, including Nicole Kidman and Penelope Cruz, starring in the movie musical.

DAVID HUGHES/GETTY IMAGES

# MORGY: CLUCK MIKE!

Tale of the tape			
BLOOMY		MORGY	
21	Terms served	9	
Proclaimed 20th anniversary	Law & Order link	Model for DA Adam Schiff	
\$17 billion (net worth)	Favorite number	3.5 million (prosecutions)	
Grows apples	Hobby	Golfs upstairs	
4.6 points	Won last election by	16 points	
Won't tell	Prez vote	Barack Obama	

## '\$\$ grab chicken&#%'

By LAURA ITALIANO and DAVID SEIFMAN

The war between Mayor Bloomberg and Manhattan DA Robert Morgenthau turned nuclear yesterday — with Morgy accusing the mayor's office of an attempted "power grab" and making "chickens-&-t comments."

Morgenthau charged that senior mayoral aides threatened to blemish his reputation by exposing "secret" office bank accounts if he didn't agree to give the city all the money he collects in settlements with none going to the state.

"If you all weren't newspapers of record, I'd say these were chickens-&-t comments," the DA angrily told reporters at an unrelated press conference involving labor racketeering and guns.

"You are looking at the aftermath of a failed power grab," he fumed.

On the verge of retirement after a storied 34-year career, Morgenthau pointed out that the city received \$181 million of the \$300 million his office disbursed this year.

"That's about 60 percent more than the mayor spent on his campaign," the 90-year-old DA told The Post later, in a stinging dig at the billionaire mayor's huge out-of-pocket expenditure to win a third term.

The mayor's office yesterday released a list of 68 bank accounts held by Morgenthau's office containing \$83 million.

Bloomberg aides said they had no idea the accounts existed until the new finance commissioner, during a routine sweep of 32 banks with city accounts, found them.

"The DA not telling the city the money exists raises questions," said one mayoral aide, noting that the DA's office gets 82 percent of its \$91 million budget from city taxpayers. Essentially, this is the size of his entire budget.

But Morgenthau insisted: "We're not a city agency. I probably indicted 600 city employees since becoming DA. The public has to know we're independent."

He said some of the funds were deposited in escrow by federal agencies that trust us and don't "trust the city."

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December 4, 2009 Friday 12:39 AM GMT

**SECTION:** SPORTS NEWS**LENGTH:** 235 words**HEADLINE:** Donaghy tells '60 Minutes' **mob** threatened family**DATELINE:** NEW YORK**BODY:**

Disgraced ex-NBA referee Tim Donaghy tells "60 Minutes" the **mob** threatened his family to ensure he provided his insider picks to inform betting on games.

"They basically told me that I needed to give them the picks and if I didn't, that it's a possibility that somebody would go down and visit my wife and kids in Florida," Donaghy says in his first interview since his arrest in the betting scandal, which airs Sunday night on CBS.

Donaghy says he bet on games based on his knowledge of other officials' biases for and against certain players and teams. Donaghy says he was winning 75 percent of the time, which drew the attention of the **mob**.

"I knew there were certain relationships that existed between referees and players, referees and coaches and referees and owners that influence the point spreads in games," he says.

Donaghy again denies that he influenced any games he called to win a bet. NBA officials declined to participate in the piece but have denied similar allegations from Donaghy in the past, saying he is an untrustworthy source.

Donaghy wrote a tell-all book in prison, but Random House said in October it would not go forward with publishing it.

Donaghy was sentenced to 15 months.

"We all have choices to make in life and when we decide to go down that wrong road we would be better off backing up. ... Not only do you affect your life ... but the lives of the people you love the most," he says.

**LOAD-DATE:** December 4, 2009**Your DPPA Permissible Use:** Government Agency**Your GLBA Permissible Use:** Fraud Prevention or Detection

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DONAGHY-596



# Book: More dirty NBA refs

BY MIKE JACCARINO  
DAILY NEWS STAFF WRITER

A FORMER gambler tied to the biggest betting scandal in NBA history believes disgraced ref Tim Donaghy had help from some colleagues.

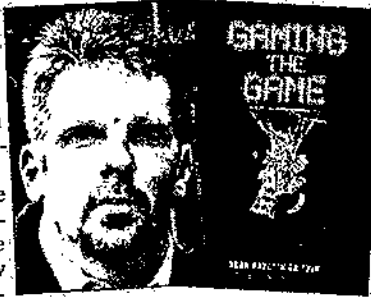
Convicted fixer Jimmy (The Sheep) Battista makes the bombshell allegations about other league referees' involvement in the new book "Gaming the Game" — a detailed account of the millions of dollars in bets made off of Donaghy's insider knowledge.

"When he told me about those other refs, I was so ... excited!" Battista tells the book's author, Sean Griffin, 41. "All I could think about was how we were going to get more inside information and more sure winners."

The feds busted Battista, Donaghy's high-school classmate, in 2007 on charges the gambler paid the ref \$2,000 to \$5,000 for winning picks.

Both served 15 months in prison for illegal gambling. A third pal, Tommy Martino, got a year for acting as a go-between.

No other official was ever implicated in the scandal. The NBA also conducted its own investigation and concluded Donaghy acted



Jimmy Battista and new book.

alone.

Published by Barricade Books, "Gaming the Game" hits shelves Tuesday.

It chronicles how Battista, 45, bet \$1 million to \$2 million on each Donaghy-officiated game, giving the ref as much as \$10,000 if he knew the outcome was a sure thing.

Battista referred to Donaghy, 43, as "Elvis" because the ref was "The King" for how often his picks won.

The best sports gamblers win about 60% of bets, Battista says in the book, but Donaghy's picks on the NBA games he officiated were right 78% of the time.

In the book, the fixer also boasts of big bets on games Donaghy didn't ref but had knowledge about. One payday came off of the

NBA 2007 All-Star Game.

"Elvis called us, like, four hours prior to the All-Star game and said the West was going to crush the East," Battista says. "We laid two or three with whatever inside information [Donaghy] had, and the West destroyed the East."

The West won 153-132.

Battista also speculates in the book that a former Donaghy confidante, NBA ref Scott Foster, may have been in cahoots.

"Everybody assumed Donaghy was getting Foster's picks on Foster's games," Battista says. "I would love to see Scott Foster's phone records to see who he was calling after he talked to Timmy."

Foster was never charged with betting on NBA games.

Battista even speculates that greed and resentment motivated Donaghy to dirty the game.

"Elvis would bad mouth [NBA players] to death, and say things like, 'These [guys] are overpaid.' He took it personal that they were making so much more money than he was," Battista says.

Donaghy declined to be interviewed for "Gaming the Game," but told the Daily News the book was a "sensationalistic and fictional portrayal of the past events."

mjaccarino@nydailynews.com



Ex-ref Tim Donaghy went to jail in NBA gamble scandal. Photo by Getty

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## Widow, ma sob at rites for Mad Maks' stepdad

BY JOE JACKSON  
and CHRISTINA BOYLE  
DAILY NEWS WRITERS

THE SOUND OF SOBS echoed through a Brooklyn chapel yesterday during the funeral for accused rampage killer Maksim Galkin's father.



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	2/15/07		✓	
	2/16/07		✓	
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	2/21/07		✓	
	2/13/07		✓	
	3/16/07		✓	
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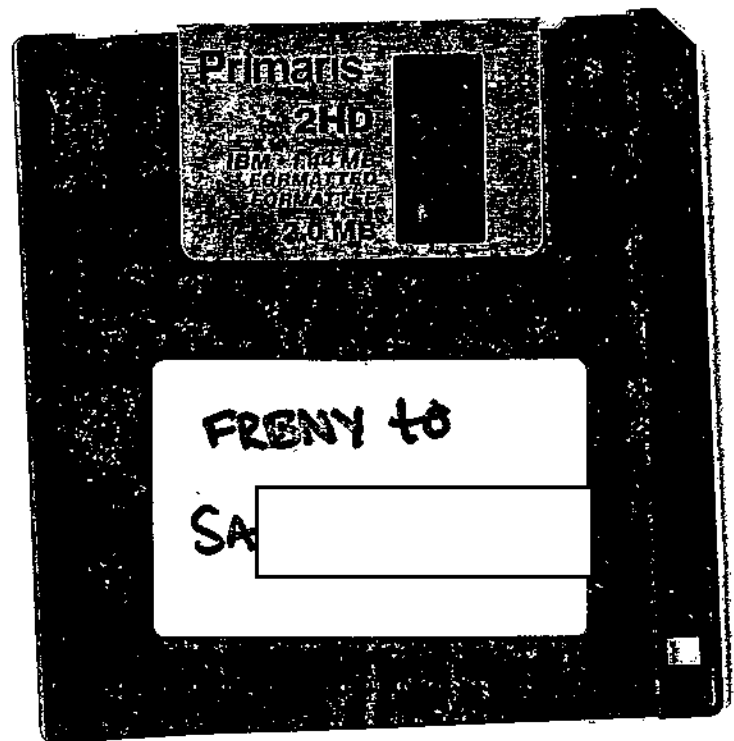
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Federal Rules of Criminal Procedure☒ Yes ☐ No

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	5/10/07		✓	
	4/24/07		✓	
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To: New York

From: New York

Contact: SA [redacted] BQMRA

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Approved By: [redacted]

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Drafted By: [redacted]

Case ID #: [redacted] (Pending) [redacted]

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Synopsis: To open a subfile for FD-192's.

Details: It is recommended that a subfile be opened for FD-192's (Evidence greensheets). The subfile will be [redacted]

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Date Property Acquired: Source from which Property Acquired:

07/06/2007

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Anticipated Disposition: Acquired By: Case Agent:

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Description of Property:

Date Entered

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Case Number: [Redacted]  
Owning Office: NEW YORK

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b7C -3  
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b7C -3

09/21/2007

Anticipated Disposition: Acquired By: Case Agent:

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Description of Property:

Date Entered

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Case Number:  
Owning Office: TAMPA

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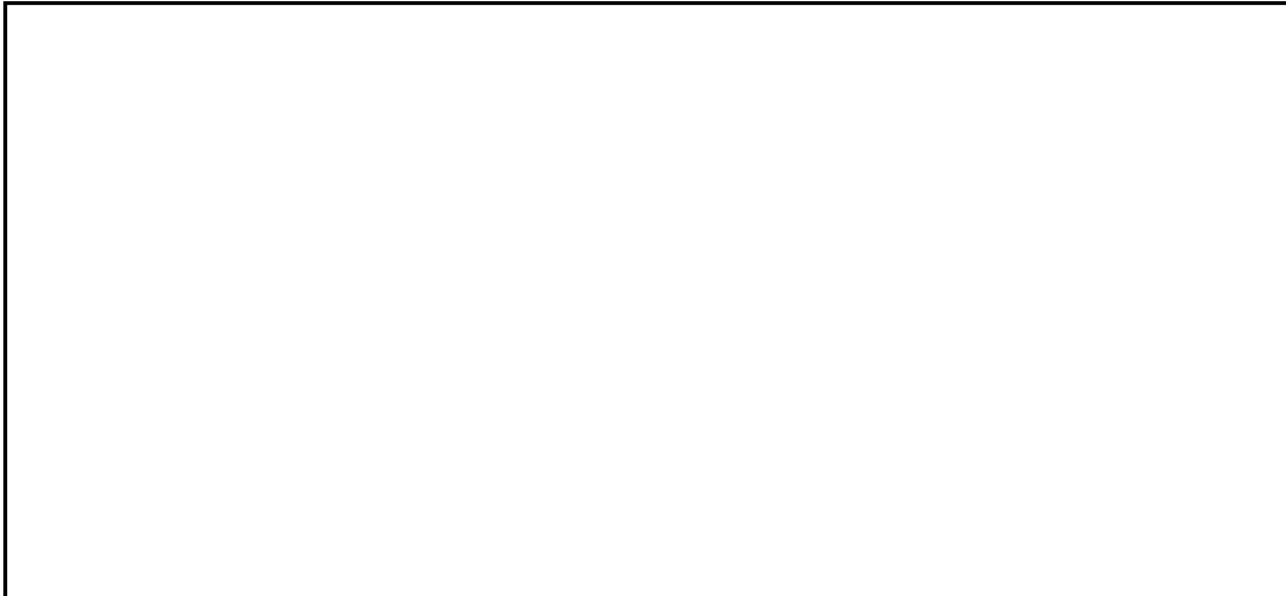
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## FEDERAL BUREAU OF INVESTIGATION

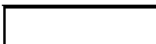

Date of transcription 01/11/2007

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# FIXED!

## EXCLUSIVE NBA ref in mob betting scandal

**MURRAY  
WEISS**

The FBI is investigating an NBA referee who was allegedly betting on basketball games he officiated — in cahoots with “dangerous” mob-connected bookies. The Post has learned. The feds are close to rounding up a cadre of mobsters and associates who lined their pockets along with the ref during the past two seasons, sources said.

The ref allegedly made calls that affected the point spread to guarantee that he and the hoods won large bets.

**FULL STORY:  
PAGE 7**

## Sad farewell for fallen hero

**PAGES  
8-9**

## Celeb rob' spree in 'inseltown'

LOS ANGELES — A burglary crew has targeted the homes of sports titans, celebrities and movie stars in the city's wealthiest neighborhoods over the last year, taking off with more than \$7 million in cash, rare books and jewelry while leaving few clues.

Deputy Police Chief Kenneth Miller said the crew of two or three men clad in black with ski masks and gloves target large-scale homes in areas such as Bel-Air, Malibu Hills and Encino, usually the evenings and often on weekends. They evade security systems, ignore security cameras and sometimes take entire safes, he said.

Police did not release the names of victims. But sources said they included an NBA player, an Oscar-winning director and a former studio chief.

Lt. Ray Lombardo, leading a task force pursuing the burglars, said, "I'd like to call them it, but they are professionals."

That apparently happened at an Encino estate where a security guard facing the street caught a brief glimpse of two muscular, 6-foot-plus men without their masks, police said. *L.A. Times*

## Nike feels Vick-sick

ATLANTA — Michael Vick's legal troubles prompted Nike yesterday to suspend the release of its best product line named after the Atlanta Falcon quarterback.

Nike has told retailers it will not release a fifth signature shoe, the Zoom Vick V, this summer. Nike spokesman Dean Stoyer said the four shoe products and three items that currently bear Vick's name will remain in stores.

Vick will be arraigned next week in a Richmond, Va., federal courtroom on charges of sponsoring a fighting operation. Stoyer said he still has a standing contract with Vick but declined to speculate on his future with the company.

A statement released by Nike said the company "is concerned by the serious and highly disturbing allegations made against Michael Vick." *AP*

## Plame suit KO'd

WASHINGTON — A federal judge dismissed former CIA operative Valerie Plame's suit against members of the Bush administration for leaking her identity.

Plame had accused Vice President Dick Cheney and others of conspiring to leak her identity in 2003 as retribution for criticism of the administration by her husband, Joseph Wilson.

U.S. District Judge John dismissed the case against all defendants: Cheney, White House adviser Karl Rove, former aide Lewis "Scooter" Libby and former Deputy Secretary of State Richard Armitage. *AP*

# NBA IN A 'FIX'



**FOUL!** This game may have been clean, but Commissioner David Stern (right) is aware of an FBI probe into a ref who allegedly fixed others.

## Feds probing ref in Mafia bet scam



**MURRAY WEISS**

**EXCLUSIVE**

**T**HE FBI is investigating an NBA referee who allegedly was betting on basketball games — including ones he was officiating during the past two seasons — as part of an organized-crime probe in the Big Apple, *The Post* has learned.

The investigation, which began more than a year ago, is zeroing in on blockbuster allegations that the referee was making calls that affected the point spread to guarantee that he — and the hoods who had their hooks in him — cashed in on large bets.

Federal agents are set to arrest the referee and a cadre of mobsters and their associates who lined their pockets, sources said.

"These are dangerous people [the referee] was involved with," a source said.

One source close to the probe

counted the number of games on which the ref and his wiseguy buddies scored windfalls in the "double digits."

NBA Commissioner David Stern is aware of the investigation and has a report about the referee on his desk, another source said.

The official, whose name was withheld, allegedly wagered on games during the 2005-06 and 2006-07 NBA seasons.

James Margolin, an FBI spokesman, declined comment on the latest black eye for professional sports.

The sources indicated the referee apparently had a gambling problem, slipped into debt and fell prey to mob thugs.

"That's how he got himself into this predicament" by wagering with mob-connected bookies, one source said.

Professional basketball has remained largely unscathed by allegations of game-fixing, although college basketball has been rocked by several scandals involving point-shaving by players, but not officials.

One of the most recent was a Boston College point-shaving scam arranged in the 1980s by mobster Henry Hill, who bribed several players. Hill later became a government informant, and his life was depicted in the movie "GoodFellas."

Having a referee in their pockets provides a two-fold bonanza to game fixers.

Gamblers would be able to directly cash in by betting on games where they knew the point spread was compromised.

But having a ref in their pocket could prove even more lucrative to crooks in a bookmaking syndicate.

Bookmakers hope to encourage an equal amount of betting on each team and make their money on the "vigorous," which is typically 10 percent of a losing bet.

But armed with the inside information, the bookmaking syndicate could set an artificial point spread that would encourage large "layoff" bets from other bookies carrying too much action on one team, that were likely now to lose.

An FBI organized-crime squad in the bureau's flagship New York office is handling the case, but the referee traveled the country officiating various games on which he allegedly bet.

It was not determined which games were allegedly affected by the referee's actions, or how much money may have been won by him and his cohorts.

The FBI got wind of the scheme while conducting a separate mob investigation.

The most prominent American sport-gambling scandal in recent history involved Cincinnati Reds manager Pete Rose, who was banned from baseball in 1989 for betting on his own team.

Based largely on testimony of two Rose associates, Ron Peters and Paul Janszen, Major League Baseball determined that from 1985 through 1987, Rose bet on baseball, including 52 Reds games in 1987, at a minimum of \$10,000 a game.

All of Rose's bets on Cincinnati were to win.

*murray.weiss@nypost.com*

## N.Y. oil-biz bigs busted in slick \$75M 'scam'

By KIERAN CROWLEY and STEFANIE COHEN

Federal agents raided two heating-oil companies early yesterday and charged their owners with skimming fuel from customers in a scheme that allegedly spanned nearly two decades and netted \$75 million.

Agents seized 34 tankers from Queens-based Mystic Tank Lines

and Brooklyn's T&S Trucking Corp. They took into custody Mystic owner Leonard Baldari Jr., 53, T&S chief executive Tonino Solimine, 49, and two underlings.

The four were arrested at their homes and arraigned in federal court in Central Islip, L.I., where they pleaded not guilty to embezzlement and money-laundering conspiracy.

All four were detained pending

bail hearings next week.

At Solimine's house, the feds found \$500,000 in cash. His attorney, Jonathon Winograd, said, "He's a very frugal guy, and he doesn't believe in banks."

Mystic Tank Lines is one of the largest heating-oil transporters in the Northeast. Beginning in 1990, truckers for the company began skimming oil from customers they'd been contracted to supply

by various retailers, the feds say.

The truckers told customers they'd received a full tank of heating oil, but actually shorted them, the complaint states. The truckers then sold the extra oil to retailers on the sly, raking in \$50 million, the feds charge. T&S allegedly began a similar scheme in 2000 and made \$25 million.

*kieran.crowley@nypost.com*

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# NEW YORK POST

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METRO EDITION

SATURDAY, JULY 21, 2007 / Partly sunny, 85° / Weather: Page 12

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**NBA  
ref bet  
scandal**



# THE 'FIXER'

NBA referee Tim Donaghy is at the center of the betting scandal first reported exclusively by The Post (inset, top).

PAGES 4, 5, 6, 7

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# BLACKMAIL LET

- Official had gambling woes
- Gambino wiretap led to probe
- Taint on 100s of NBA games

By MURRAY WEISS,  
STEFANIE COHEN  
and PATRICK GALLAHUE

Tim Donaghy, the NBA ref at the center of a federal investigation into "fixing" games and betting on contests he officiated, was forced into helping crooked gamblers by a fledgling gangster who threatened him, The Post has learned.

Donaghy, 40, was a degenerate gambler who placed high-stakes bets on just about anything he could — including his own rounds of golf — before the Philadelphia-based wiseguy wannabe learned the ref bet on games that he worked, sources said.

The thug's threats to expose Donaghy pressured the ref into feeding crooked gamblers privileged information that help them win bets against the point spread — the margin of victory on which bettors wager — on NBA games, sources said.

The investigation, which originated in the Eastern District of New York, is likely to lead to arrests within the next week of the referee and at least two others, sources said.

Donaghy now lives in Bradenton, Fla., but still spends a considerable amount of time in the Philadelphia area.

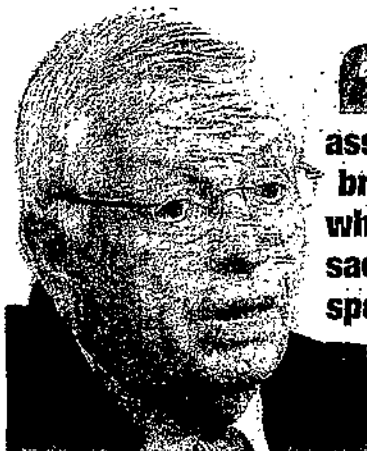
"The tragedy is he wasn't a bad ref," a source said. "Once he got mixed up, they wouldn't let him go."

Donaghy's lawyer, John Lauro, declined to comment.

A sweeping investigation into high-ranking members of the Gambino crime family uncovered the scheme involving Donaghy, sources told The Post.

"It stems from an investigation into the administration of the Gambino family," said a source, who added no one has been charged in that investigation yet.

The instigator of the plot allegedly used his contacts in the crime family to intimidate the NBA official with "veiled threats of violence" against Donaghy and his family as well as the more immediate pledge to expose him, sources said.



**No amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again.**

— NBA Commissioner David Stern

During wiretaps of the mobsters, a conversation involving the allegedly crooked ref was picked up and sparked the investigation.

Very recently, the FBI confronted the Donaghy, who began to cooperate with authorities, sources said. He resigned his post with the NBA in the past week.

In what is swiftly turning into the biggest black eye in NBA history, some of the information that Donaghy allegedly fed to crooked gamblers could cause sweeping changes to the league.

"This is a systemic issue for the NBA," a source said.

For instance, authorities are investigating if Donaghy tipped off gamblers as to which referees were going to be calling a game long before it was publicly announced.

It's well known that referees have different styles of calling a game that can affect how coaches manage the team and how different players are used.

A thornier issue for the NBA is that it's long been speculated that certain coaches harbor deep dislike and bias against certain players.

"There's a lot of bias, judgment calls, who likes who, how they

call a game," a source said. "This information is proprietary and worth a lot to gamblers and the bookmakers."

In a statement yesterday, NBA Commissioner David Stern said the league wanted to "assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again."

The ref had just finished his 13th year in the league, officiated more than 700 games and a well over dozen playoff matches, including the famed 2004 Indiana Pacers-Detroit Pistons brawl at the Palace at Auburn Hills, Mich., when Ron Artest attacked a fan in the stands.

But many players said they thought well of the veteran official.

"Suspect anything? No, of course not," said one player. "I thought [Donaghy] was one of the good ones."

But Donaghy's gambling allegedly put him in the company of some very bad characters, including the one who would eventually blackmail him, sources said.

Others involved in the gambling scheme are helping investigators and receiving FBI protection, sources added.

Donaghy was active in his community, participating in the NBA Read to Achieve program, encouraging literacy among children, and organizing a basketball clinic at Don Guanella, a Philadelphia Archdiocese school for disabled kids in his hometown.

While running the basketball clinic in 2001, he told a local newspaper, "When I was playing ... I said, 'Someday, I want to come back and put a smile on the faces of the guys at Don Guanella.'"

But Donaghy was also known for his fiery temper that has led to fights with players and even a neighbor.

In 2003, the NBA investigated an allegation that the then-Portland Trail Blazers forward, Rashad Wallace, cursed out the referee over a technical foul called against him.

But that incident pales in comparison to a game two seasons earlier, when Blazers guard Bonzi Wells allegedly "intentionally struck" Donaghy.

In 2005, Donaghy was sued by his West Chester, Pa., neighbor for "a pattern of public harass-



ment."

The neighbors, Peter and Lisa Mansueto, accused Donaghy of cursing at them, setting fire to their tractor, following Lisa around a local golf course, and driving the Mansuetos' golf cart into a ditch, according to the Philadelphia Inquirer, which reported on the suit.

"Unfortunately, it hasn't worked out with us as neighbors, and we've elected to move," Donaghy told the paper. "In the future, we wish them [the Mansuetos] the best of luck."

The story reported that Donaghy was also charged after a verbal dispute with a postal carrier, but those charges were dropped.

One NBA coach told The Post about the betting scandal: "Our officials are so scrutinized and evaluated, I'm shocked something like this could happen. I mean even the evaluators are evaluated."

But others believe that if any of the allegations are proven to be true, it could deal pro basketball an irreversible blow.

"What will happen is every time there is an arguable call at the end of games, fans are going to say, 'See? Told you. It's crooked,'" said an NBA team executive who asked not to be identified.

"Even if nothing happened, just the suggestion of impropriety is hurtful."

Additional reporting by Fred Kerber and Post Wire Services  
murray.weiss@nypost.com

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# MOB 'OWN' REF

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New York Post, Saturday, July 21, 2007  
nypost.com



**COURTING TROUBLE:** Tim Donaghy is dwarfed by NBA players he separates during a game in 2006. The longtime Pennsylvanian now lives with his wife and kids in this Florida manse (right).

## Man at center of the storm was an on-court hothead

By PATRICK GALLAHUE

The NBA referee who is in the middle of the emerging stain on professional basketball started out as a player, first at a Catholic high school and then at Villanova University.

Baby-faced Tim Donaghy, 40, is a man of contradictions known as both a hot-tempered firebrand and as helpful do-gooder in his personal life.

But it was during one infamous incident that he fell into the crosshairs of sportswriters for being too tolerant.

After Indiana Pacer Ron Artest stormed into the stands at the Palace of Auburn Hills in

Michigan during a game against the Detroit Pistons and attacked heckling fans, Donaghy and two fellow officials were widely chastised for not doing enough to calm the volatile players after the initial on-the-court brawl.

It has never been made public if any disciplinary action was taken against the referees.

But despite the knocks against him, Donaghy would often serve as crew chief, leading the officials that refereed games.

"I'm shocked, terribly shocked," said Gary Benson, an NBA official for 17 years who retired two years ago because of knee problems. "Those are peo-

ple that you work with and that you literally — you spend more time with those people than you do with your family."

Yet off the court, Donaghy remained a loyal Philadelphia kid who stayed true to his roots. Although he moved to Florida two years ago, he was still a fixture in Philadelphia, where he spent a lot of his free time.

He was a star athlete at Cardinal O'Hara HS in Springfield, Pa., becoming an All-Catholic and All-Delaware County baseball player.

He went on to play basketball

at Villanova, before graduating in 1989 with a degree in English.

But after college, he turned his attention to officiating, first as a high school ref and then several years with the Continental Basketball Association.

Donaghy just completed his 13th season with the National Basketball Association, having officiated more than 700 games.

During his time with the NBA, Donaghy has been active with

some of the league's charitable programs, including one that encourages literacy among children.

He also organizes an annual basketball clinic for disabled kids in Pennsylvania while his wife, Kim, collects donations of uniforms and basketball equipment.

He is married and has four daughters.

patrick.gallahue@nypost.com



Bobby Martinez/Splash News

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# Invisible men of sports are ideal target



**MIKE VACCARO**

**T**HE wonder is that we haven't read a story like this before, because in many ways there is no more vulnerable — or valuable — a person in the whole realm of competitive sports than a basketball referee.

They are ideal targets for the wiseguys who regularly reappear in sports pages looking for that most American of sporting ideals: the sure thing. NBA referees such as Tim Donaghy are handsomely underpaid, especially in relation to the players and coaches they consider colleagues.

And, more to the point, they have the ability to subtly control the outcome of games with the simple foot of a whistle more than any single group in any single sport.

Gamblers have long wasted their time throwing bags of cash at simple kids and asking them to have points in a ways made far more sense to invest the effort in getting a zebra in your pocket.

How easy is it? If you're helping against the Lakers, and you're getting, say, 8 1/2 points, you think you might feel good about Kobe Bryant getting two early fouls, four before halftime, five early in the third. A referee with a "quick whistle" may get an earful from a coach, but the suspicions generally end with his lack of competence. Or have ended there, anyway.

Unless you're looking for something untoward, you aren't going to find it. Some guys call everything. Some guys call nothing. You can always wonder what motivations are at work.

And now you can add another set of potential catalysts, since the FBI is investigating the 40-year-old NBA ref Donaghy, who allegedly may be bettering on the games he was working — and exerting whatever influences that go along with that grave conflict of interest.

"It's been a potential problem for as long as the game's been set up the way it is," a basketball coaching friend of mine said. "Look, refs are always going to be vulnerable

to certain prejudices. They don't like you, they can't like you as badly as they want, and you have to take it. The thing is, it's hard enough to take it if you just think the guy is bad at his job. But when you start thinking that someone's in his pocket... it gives you cold sweats thinking about that. It's not just their livelihood they're screwing with, it's yours.

And a guy like that, if it comes down to between their bank account — or how many shynocks they owe — and whether or not you're going to the NCAA Tournament, guess who wins?

There's always been a basketball player willing to throw a ball away, or a quarterback willing to throw an untimely interception.

But it's hard, very hard, to get them to not only willingly run contrary to their natural competitiveness, but pull it off. They're bad actors.

Referees don't have to be De Niro. Most fans think they stink at their jobs anyway. Most coaches already think refs have it in for them: bad calls, simply, get lost in the shouting and the tumult. And basketball referees are empowered with far more actual influence than any of their other brethren.

A baseball umpire can make his strike zone as elastic as he wants, he can blow as many calls as he wants on a base path, but he's powerless to stop a walk-off home run from sailing over the fence.

Basketball refs? They blow their whistle 30-40 times a game. They can get Kobe in foul trouble. They can become obsessed with happy feet. If they're desperate, there's always a quick 5-second call, or 10-second call, or 3-second call. They can't control everything. But they can control more than most.

"I've always told people that what keeps me up at night is realizing that [a prominent basketball referee] can come down to whether I'm able to pay for my house and my kids' education or not," another coach told me the other day. "This story ain't going to make me sleep any better, believe me."

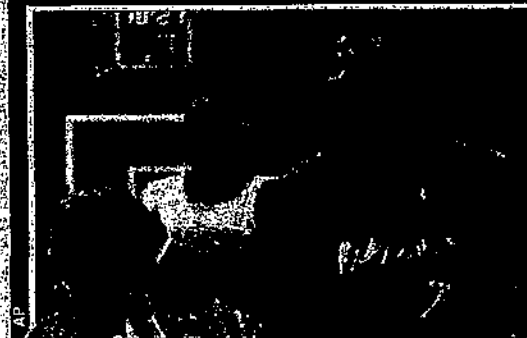
Nor should it.

# BEST BET



**6 of Donaghy's games that smell fishy**

**TURNING POINT:** In this April 16 game refereed by Tim Donaghy, Atlanta made 13 more free throws than Milwaukee, which failed to cover the point spread.



**'DOG DAZE:** In a Dec. 16 game (left) worked by Donaghy, Denver was an underdog, yet won with its last eight points coming on free throws. A Dec. 30 game (right) featured the 10 1/2-point favorite, Orlando, winning by 29 points.

## Crooked refs could reap profit

By MIKE BATTAGINO

There's nothing "free" about free throws, especially when you're betting on an NBA game.

As first reported in The Post, the FBI is investigating allegations that veteran referee Tim Donaghy gambled on basketball games over the past two seasons, including games he officiated.

Authorities reportedly are examining whether the referee made calls to affect the point spread in games on which he or associates had wagered.

The easiest way for Donaghy, or any other referee, to affect

the point spread outcome, be it the straight game line or the over/under (the total points scored by both teams), is to jack up the number of fouls called.

By creating a foul-filled game, an official could:

- Ensure that an underdog would take enough free throws to stay within the point spread.

- Ensure that a favorite would take enough free throws to win by more than the point spread.

- Ensure that both teams combined took enough free throws to increase the score so it would go "over" the over/under total.

In past game-fixing scandals, the method usually allowed the favored team to win, but by less than the point spread, a practice known as "point shaving."

Looking at stats from Donaghy's games, as reported by covers.com, in the 2006-07 season, the usually-favored home team won 40 of the 74 games he worked (54 percent). Yet they covered the spread in only 30 of those (40.5 percent).

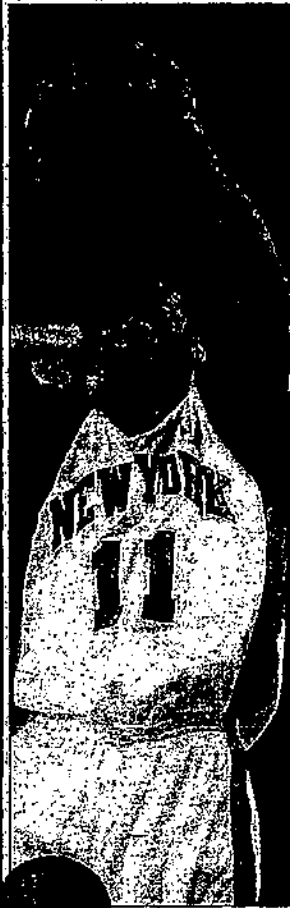
In all NBA games that season, the home team won 59 percent of the time, and covered 47 percent.

With over/unders, 43 of 75

# IS 'FOUL' PLAY



**BLAZING:** On Dec. 1, the underdog Portland Trail Blazers lost but beat the 4-point spread by making nine more free throws than Orlando.



**KNICK KNACK:** Jamal Crawford helped his Knicks win at the Garden and barely cover the 4-point betting spread on Feb. 26. The Miami Heat were called for 25 fouls, the Knicks just 14.



**HURTS SO GOOD:** Despite an injury to Dirk Nowitzki, Dallas won this Dec. 20 game by 8 points, covering the spread by a half-point.

## by whistling while they work

naghy's 72 listed games went "over" (59.7 percent) including 10 of 12 (83.3 percent) in which the over/under was low (184.5 or less), the easiest games to possibly influence.

And a Post look at box scores of games Donaghy officiated revealed several with a discrepancy in free-throw attempts that could have affected the spread outcome.

Yet no one can be sure, at least not today. Donaghy reportedly will surrender to authorities as early as next week.

Nevada gambling regulators were not involved in an investigation and had no information

about the allegations, said Jerry Markling, enforcement chief for the state Gaming Commission and Gaming Control Board.

And Jay Kornegay, executive director of the sports-book at the Las Vegas Hilton, said he had never seen any unusual activity in NBA betting, and was surprised not to have heard about an investigation until yesterday.

Veteran oddsmaker John



Avello, at the Wynn resort on the Las Vegas Strip, said that without specific information "it would be difficult to identify" wagering irregularities over the last two seasons.

"At this point, it's too early to know if any games were affected," Avello said, adding that no regulators or investigators had contacted him about the case.

With Post Wire Services

### Suspicion 'spreads'

Total NBA games officiated by Tim Donaghy

2005-06:	2006-07:
66	74

Home team's record vs. the spread in Donaghy's games

2005-06:	2006-07:
32-32-2	30-41-3

Home team's outright record in Donaghy's games

2005-06:	2006-07:
36-30	40-34

"Over-under" total-point outcomes in all Donaghy's games

2005-06:	2006-07:
Over 36 times out of 66	Over 43 times out of 74

Over-under outcomes in Donaghy's lowest betting-line games (line under 184.5 total points)

2005-06:	2006-07:
Over: 6 times out of 13	Over: 10 times out of 12

Source: Covers.com

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# DAILY NEWS

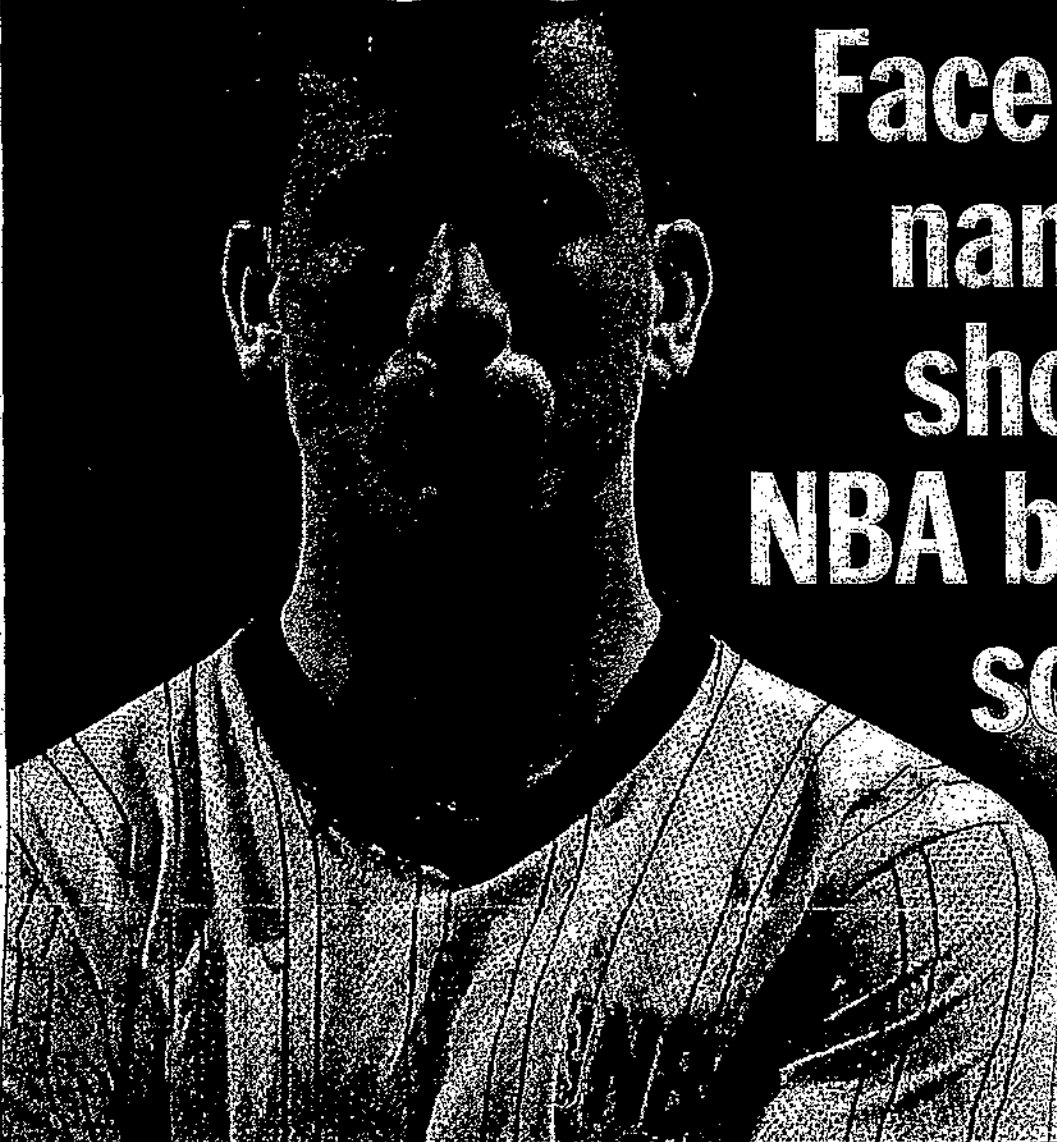
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NEW YORK'S HOMETOWN NEWSPAPER

NYDailyNews.com

# DISGRACE!

Face of ref  
named in  
shocking  
NBA betting  
scandal



COMPLETE  
COVERAGE  
PAGES 4-5

NBA referee Tim Donaghy  
is expected to surrender  
to feds next week.

GETTY IMAGES

## OUR VERDICT ON HARRY POTTER BOOK

REVIEW AND STORIES — SEE PAGE 3

DONAGHY-2044

# A DISGRACEFUL REF



Jason Kidd and ref Tim Donaghy in Nets series clincher. Photo by AP

## SCOREBOARD WATCHING?

Referee Tim Donaghy officiated six regular-season games involving the Knicks or Nets last season — and a playoff game involving the Nets.

**NOV. 25**  
Chicago at New York  
Favorite: Chicago by 3  
Score: Chicago 105; Knicks 95

**FEB. 26**  
Miami at New York  
Favorite: New York by 3  
Score: Knicks 89; Miami 93

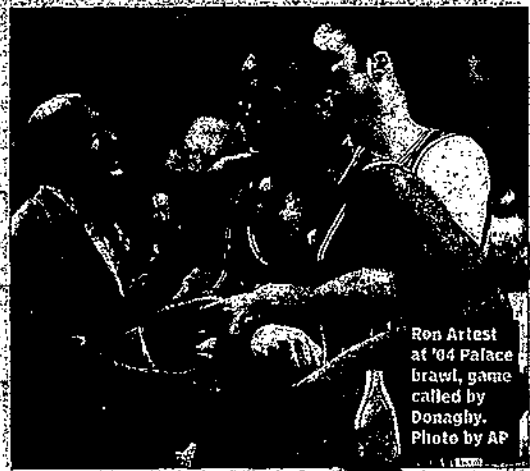
**APRIL 15**  
New York at Toronto  
Favorite: Toronto by 12.5  
Score: Toronto 107; Knicks 105

**DEC. 18**  
Detroit at New Jersey  
Favorite: Pick  
Score: Detroit 90; Nets 82

**FEB. 14**  
New Jersey at Toronto  
Favorite: Toronto by 7.5  
Score: Toronto 120; Nets 109

**APRIL 10**  
New Jersey at Washington  
Favorite: New Jersey by 3  
Score: Nets 96; Washington 92

**MAY 4 — PLAYOFF GAME**  
Toronto at New Jersey  
Favorite: New Jersey by 7;  
over-under 189  
Score: Nets 95; Toronto 97



Ron Artest at '04 Palace brawl, game called by Donaghy. Photo by AP



Knicks in 6-point win over Heat. Photo by J. Conrad Williams Jr./Newsday/MCT

**TIM DONAGHY**  
BORN: Delaware County, Pa.  
RESIDES: Bradenton, Fla.  
AGE: 40  
NBA EXPERIENCE: 13 years  
HIGH SCHOOL: Cardinal O'Hara in Springfield, Pa.  
(All-Delaware County in baseball and basketball)  
COLLEGE: Villanova, 1989, played varsity baseball  
WIFE: Kim  
CHILDREN: Four  
HOBBY: Golf  
Betting lines provided by America's Line

## A stain the NBA won't soon be able to clean

Quite simply, this is the NBA's worst nightmare. For commissioner David Stern, 30 NBA owners, some 400 players and 60 refs, it can't get any worse than having a referee caught smack in the middle of a mob-inspired, point-shaving scandal.

The integrity of the NBA is open to question because referee Tim Donaghy allegedly bet on games he officiated and made calls over the last two seasons that affected the point spread of games.

The rumbling you heard yesterday was the foundation of a pro sports league shaken like it has never been in 60 years.

"There's nothing worse for the integrity and credibility of the game," said one ownership source. "This is horrible."

That's because when you buy a ticket for an NBA game, as for other pro sporting events, you are putting your hard-earned money and trust in the fact that the action is on the up and up.

It's not supposed to be pro wrestling. The basketball game you see at the Garden might not be a classic and, Lord knows, with these Knicks, they seldom are. But for the most part, fans can walk away knowing that no matter who won,

the fix was not in.

Not anymore, at least when it comes to games in question in which Donaghy worked. At the very least, a giant shadow of doubt has suddenly been lowered over the NBA court, no matter how the feds' case turns out against him and the mobsters he allegedly conspired with to pocket thousands.

Donaghy worked 68 regular-season games last season and another five playoff games, ending with his May 12 appearance in the Suns-Spurs second-round series.

His regular-season work included three Knicks games and three Nets games. The playoff games included the Nets' series closeout victory against Toronto in the first round.

Nothing about that latter game on May 4 struck us as funny as we watched it in the Meadowlands, other than the fact that Nets coach Lawrence Frank used Vince Carter as a decoy on the game-winning basket.

But in how many other games were the

sinister forces at work, so as to finish with a point differential that allowed Donaghy to pay off his gambling debts? That is the very question the NBA fears. If its product isn't legit, it has no choice but to pack up and go.

As soon as Donaghy's name surfaced yesterday, GMs, coaches and players were thinking back to the games he worked and reviewing them for strange calls. That is not what the NBA needs. It comes off as a one-sided Finals last month in which few fans watched, and its official tie doubt on a controversial call, some superstar usually is.

Stern is a lawyer by trade and knows all about the presumption of innocence for the accused. Yet in his statement addressing what would be the first such instance of point-shaving by an official in league annals, he ditched the normal attorney line you have heard coming out of the NFL of-

fices about Michael Vick, now facing felony charges involving dogfighting.

Stern said, "We would like to assure fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again."

That is a statement made by a commissioner who knows how his league can be brought down by mob shenanigans aided by someone on the inside like a Tim Donaghy.

One time is bad enough. The NBA has had its share of bad days, whether it's Stephen Jackson firing off his gun or Ron Artest purportedly beating up his wife or the Knicks and Nuggets brawling inside the Garden.

Ironically, Donaghy worked one of the NBA's very lowest points, the infamous brawl at the Palace of Auburn Hills. Back then, in 2004, he and the other refs were cited for allowing Artest and Jackson to run into the stands to fight the unruly fans and for not taking control of the situation.

That was bad. But when a ref takes too much control of the game, it can't get any worse.

mlawrence@nydailynews.com

## THE NBA MITCH LAWRENCE



# RATTLES PRO HOOPS

He'll turn himself in as grand jury probes shocking game-fix charges

BY JOHN MARZULLI  
DAILY NEWS STAFF WRITER

THE NBA REFEREE suspected of betting on — and even fixing — games plans to surrender in New York next week in anticipation of an indictment that could shatter the credibility of professional basketball, authorities said.

Federal prosecutors put a rush on grand jury action after Tim Donaghy was unmasked as the hardcourt official who allegedly placed bets with mobbed-up bookies on games he called over the past two seasons.

Donaghy, a 13-year veteran, has resigned from the National Basketball Association — but now faces possible illegal gambling charges in a takedown by the Brooklyn U.S. Attorney's office.

The scope of the scandal is still unknown. Law enforcement officials believe it began when Donaghy piled up gambling debts and fell prey to a predatory gambling ring.

Authorities believe Donaghy placed thousands of dollars worth of bets on games during the 2005-06 and 2006-07 seasons, including matchups he officiated.

The FBI is still investigating whether the 40-year-old Florida resident deliberately made calls to affect the point spread or over/under set by the bookies.

Whether he fixed games hasn't been determined, but if he's calling a game that he's also bet on, it stands to reason he had something to do with the outcome, a law enforcement source said.

According to the Web site Covers.com, Donaghy ranked third among the NBA's 60 refs last year for calling the most games where the final score topped the projected over/under line.

Home teams also had a dismal 30-41-3 record against the point spread in games he officiated.

Vegas bookmakers said they hadn't seen any unusual NBA betting patterns.

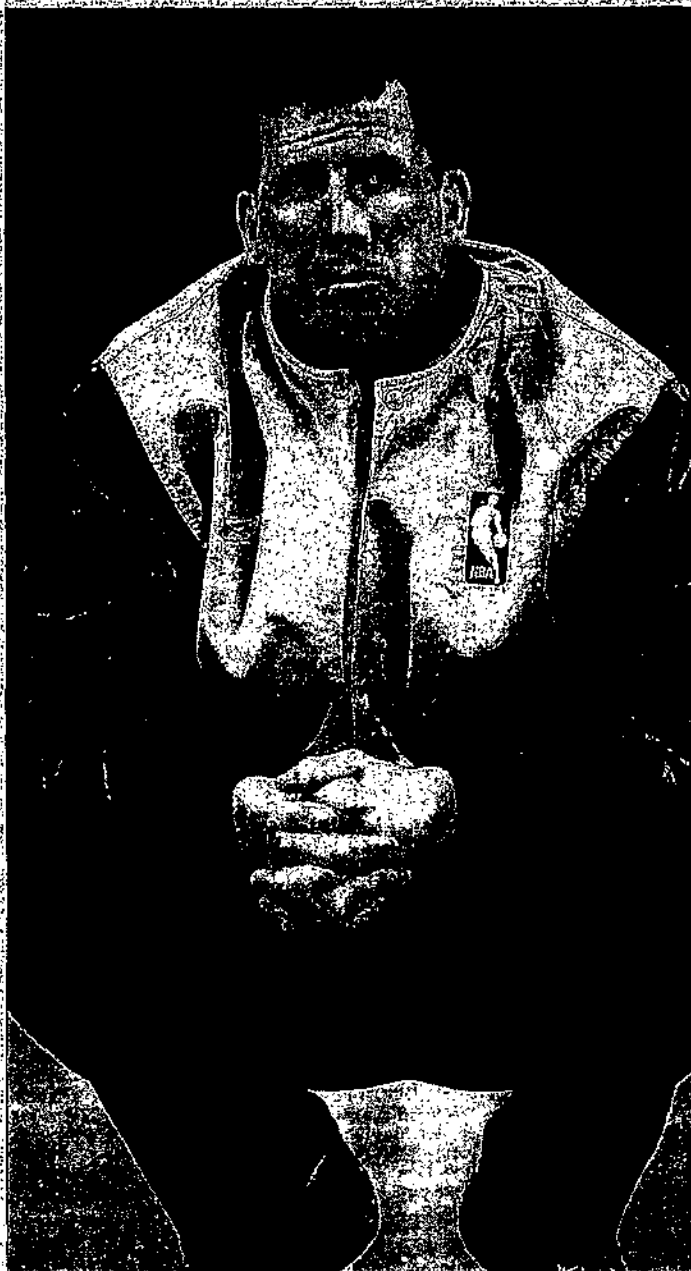
"At this point, it's too early to know if any games were affected," said veteran oddsmaker John Avell, of the Wynn resort.

Defense lawyer John Lauro, a former federal prosecutor, confirmed Donaghy is under investigation but refused to comment further.

Even though no formal charges have been brought, NBA Commissioner David Stern didn't give Donaghy the benefit of the doubt.

"We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports," he said.

The commissioner said the NBA is cooperating with the investigation and would "take the necessary steps to protect against this ever happening again."



Referee Tim Donaghy, an NBA official for 13 seasons, was on the court during the infamous Pacers-Pistons basketball brawl in 2004 and was accosted by star forward Rasheed Wallace in a parking lot after a game in 2003. Photo by Getty Images

If the grand jury votes to indict Donaghy, the feds expect to arrest him — and several bookies with loose ties to mob associates — on Wednesday.

His name surfaced in the late stages of a year-long illegal betting investigation led by the FBI's Gambino crime family squad.

A law enforcement source said it does not appear any made members of the city's five crime families had their hooks in Donaghy — who apparently has a gambling problem.

In Bradenton, Fla., a "For Sale" sign was posted outside Donaghy's ranch-style home in an exclusive gated community of

multimillion-dollar houses built around an Arnold Palmer-designed golf course.

A woman who answered the door refused to comment.

Donaghy was one of three referees in the infamous 2004 brawl game in Michigan between the Pacers and Pistons that spilled into the stands.

A year earlier, former Pistons player Rasheed Wallace confronted Donaghy after a game and pretended he was going to punch him for calling a technical foul on him earlier. Wallace received a seven-game suspension.

With News Wire Services

Got his share of fouls on & off the court

BY HELEN KENNEDY  
DAILY NEWS STAFF WRITER

FOR A BABY-FACED FAMILY man, trouble sure seems to follow Tim Donaghy around.

The NBA referee — now at the center of an alleged game-fixing scheme — was in charge on the court the night of the infamous Pacers-Pistons "basketball brawl" in 2004, and was blasted for letting it spiral out of control.

When Rasheed Wallace landed a record suspension in 2003 for threatening a ref in an obscenity-laced trade in a parking lot, Donaghy was that ref.

And off the court, Donaghy, the married father of four children, was once sued by neighbors in Pennsylvania for allegedly setting fire to their tractor and chasing them around in a golf cart.

It wasn't supposed to be that way.

Donaghy, 40, grew up in Havertown, Pa., the son of a well-regarded college basketball ref.

Donaghy played baseball and basketball at Cardinal O'Hara High School in Springfield, Pa., and baseball at Villanova. He refereed college games, worked for the amateur Continental Basketball Association, and has called games for the NBA since 1995.

Like most refs, he always tried to duck the limelight, but over the years Donaghy was involved in two of the most high-profile NBA scuffles.

In 2003, Donaghy called a foul on forward Wallace, then of the Portland Trail Blazers, for allegedly throwing a ball at another ref during a game.

After the game, Wallace ran into Donaghy in the arena parking lot and loudly told him what he thought of the call. Donaghy reported that Wallace threatened him. The star, who had had past run-ins with referees, was slapped with a seven-game suspension.

In 2004, he was one of two senior referees on the court when the Pacers-Pistons game turned into a melee with players attacking fans.

He also managed to get in trouble off the court.

Until recently, Donaghy and his family lived on a West Chester, Pa., cul-de-sac next to the Radley Run Country Club golf course. Donaghy, an avid golfer, was a member. So were his neighbors, Peter and Lisa Mansteth.

In 2005, according to The Philadelphia Inquirer, the Mansteths sued him for "a pattern of public harassment" that included yelling obscenities, following Lisa Mansteth around the golf course in his car and setting fire to their tractor.

Donaghy was suspended from the country club.

Not all of his former neighbors dislike him, though.

"They were a nice family. I'm sorry to hear he's having a problem," said John Witmer, who lived next door in West Chester, Pa.

With Dick Weiss

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# FOUL SMELL AT GARDEN

## Donaghy's Knick games bizarre

BY FRANK ISOLA  
DAILY NEWS SPORTS WRITER

WHEN AN EASTERN CONFERENCE head coach first learned yesterday that a referee was being investigated by the FBI for point shaving, one name immediately came to mind.

"I think it's Tim Donaghy," the coach said. "He's always come across as an angry guy who had problems. And a lot of crazy things have happened in games he's done."

Hours later, Donaghy was indeed identified as the veteran official linked to a gambling scandal that has rocked the image-conscious NBA. In a statement, commissioner David Stern said the league is assisting "in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again."

According to reports, Donaghy had a gambling problem and was approached by low-level organized crime associates through an acquaintance.

Law enforcement officials said the bets were made on games during the 2005-06 and 2006-07 seasons. Donaghy, who lives in Bradenton, Fla., officiated 63 games last season and five playoff games.

The games Donaghy allegedly gambled on have not been revealed. Last season, he was assigned to three Knicks games, including two at Madison Square Garden. Coincidentally, both games in

New York were marked by an inordinate number of free throws. His final Knicks game on April 15 in Toronto was won by the Raptors.

On Feb. 26, Donaghy, Derrick Stafford and Gary Zielinski were assigned to the Knicks' 99-93 victory over the Miami Heat, which was playing without Dwyane Wade. That night, the Knicks attempted 39 free throws compared to eight for Miami. The Knicks were favored by three.

Three months earlier, Donaghy was at the center of a bizarre game between the Knicks and Chicago Bulls, one remembered for Chicago coach Scott Skiles benching Ben Wallace for wearing a headband. Working alongside Bill Roe and veteran official Joey Crawford, Donaghy ejected Skiles 57 seconds into the second half. At the time, Chicago was leading by 24 points. Afterward, Skiles said he deserved the second technical foul, but not the first one Donaghy handed out.

But when Steve Francis shot both technical free throws, it began a parade to the foul line for the Knicks. Over a span of four minutes and 34 seconds, the Knicks attempted 18 free throws, an unusually high amount for a team at the start of a quarter. Despite the frantic rally, the Knicks eventually fell short, losing 106-85. Chicago was favored by three.

"I don't remember much about the game except for what happened with Ben," former Bulls forward P.J. Brown said yesterday.

When asked specifically about Donaghy, Brown admitted he was "shocked" by the allegations.

"I always found Tim to be a cool guy," Brown added. "He was a guy you could talk to. I always found most of the referees to be that way. If you show them respect, they give respect."

Several players expressed similar feelings about Donaghy but most declined to be quoted directly. One player said that it was hard to believe that (a) guy so innocent-looking could be involved with organized crime.

Coaches, however, paint a different picture of Donaghy. One Eastern Conference coach said Donaghy was an "average to below-average ref with a chip on his shoulder."

"I never liked the guy," the coach said. "Still others wonder if the investigation eventually will include more names. One coach said he's heard gambling whispers about college and pro referees."

"I can't say I'm surprised," the coach said. "Don't get me wrong, there are a lot of great refs in the league. But there are a lot of bad ones as well. I always thought, 'They can't be this bad.'"



Donaghy, wallowing in his own misery, seemed to lose confidence often than usual in his games he called last season. Photos by AP

## Kraayeveld's career night not enough for Liberty

BY MATT GAGNE  
DAILY NEWS SPORTS WRITER

CATRINE KRAAYEVELD recorded a career-high 31 points last night for the Liberty, but couldn't get enough help from her teammates to avoid an 80-74 loss to the Houston Comets at the Garden, the Liberty's third straight defeat.

Kraayeveld, a 6-4 forward whose previous career-best was 22 points against Connecticut last July, had 18 in the first half on 7-of-12 shooting, including 4-of-7

from three-point range. She had eight points in the fourth quarter and hit big shots late in the game to keep the Liberty within striking distance, but had only four points in the third as the Comets took control of the game and never relinquished the lead.

No other player scored in double figures for the Liberty, as Kraayeveld shot 12-for-23 compared to 18-for-44 for the rest of her teammates.

COMETS	80
LIBERTY	74

The Liberty (10-11) overcame a 10-point deficit in the first half, tying the game at 31 with just over three minutes left in the second quarter on Barbara Farris' uncontested layup from the left block. The play energized the crowd of 8,352, as Farris trailed the fast break and caught a no-look pass from Lorie Moore, who cut right and drew the lone defender in the lane.

After trading baskets, the Liberty took

a five-point lead but couldn't sustain the momentum. Houston's Tamecka Dixon hit a jumper from the left wing with 29 seconds remaining, and Tina Thompson, who led Houston with 26 points, knocked down a three-pointer from the top of the key with five seconds left in the half, tying the game at 38. The Comets (7-15) then went on a small run to open the third, scoring nine of the first 13 points of the second half. Houston held onto the lead the rest of the way, with the Liberty only getting as close as 69-68 on Erin Thorn's three-pointer with 4:15 left.

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am New York

## FBI investigates NBA referee over alleged betting

BY KEN BERGER AND ROBERT

KESSLER.ken.berger@newsday.com.robert.kessler@newsday.com; JOE GERGEN; The Associated Press

July 21, 2007

The specter of point shaving rocked the NBA on Friday with revelations that the FBI is investigating referee Tim Donaghy for allegedly betting on games, including those he officiated.

Donaghy, 40, a 13-year veteran of the league, recently resigned amid the probe and is expected to be arrested as early as next week along with associates identified as sports gamblers from southern New Jersey, several law enforcement sources told Newsday.

Donaghy's associates were said to have been affiliated with organized crime and were identified by sources as "a bunch of South Jersey gamblers." The case has been the subject of a federal grand jury in Brooklyn and is being overseen by federal prosecutors from the office of the U.S. attorney for the Eastern District of New York.

The investigation is focused on whether Donaghy not only bet on games, but also provided inside information on the condition of players and perhaps even shaved points to help the bookmakers and himself take advantage of inside information in betting on the outcome of NBA games, the sources said.

The bombshell, first reported Friday in the New York Post, sent a chill throughout pro basketball.

"I'm shocked," a person affiliated with the NBA said. "This is something that I never thought we'd have to deal with. It's very scary."

Donaghy, a native of Delaware County, Pa., allegedly had accumulated gambling debts and bet heavily with the bookmakers under investigation, the sources said. His six-bedroom home in Bradenton, Fla., has been for sale for about a month at an asking price of \$1.35 million.

The games in question occurred during the past two NBA seasons. The Elias Sports Bureau said Donaghy officiated 63 regular season games during the

2005-06 season and 68 during 2006-07. During that time, Donaghy officiated nine games involving the Knicks, in which they were 3-6. Most recently, Donaghy officiated five playoff games this year, but none in the NBA Finals or conference finals.

Attorney John Lauro acknowledged that he is representing Donaghy, who has not been charged, but declined further comment. NBA Commissioner David Stern said he would address the matter in a news conference next week.

"No amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again," Stern said in a written statement.

Gaming officials in Nevada said they learned of the probe only through media reports Friday, indicating that the alleged activity was limited to illegal sports betting rings outside Nevada.

"If we had seen any unusual wagering activity or even outcome trends being odd, we ourselves would have picked it up and discussed it with the NBA," said Alan Feldman, spokesman for MGM Mirage in Las Vegas, which handles about half the legal sports betting in Nevada.

"The fact that it sounds like everyone - the NBA, state regulators, and casinos - were hearing about it for the first time suggests that whatever was going on was happening in the netherworld of illegal gambling," Feldman said.

Whatever the breadth of the scandal, it could do significant harm to the NBA, which has avoided the point-shaving scandals that occasionally have besmirched college basketball. The revelations became public as Team USA, consisting of the NBA's best players, began a three-day training camp in Las Vegas in preparation for a summer qualifying tournament there for the 2008 Beijing Olympics.

One prominent NBA player, who requested anonymity due to the sensitivity of the investigation, said he's heard players speculate that referees bet on games. Until now, it was viewed more as an inside joke than reality.

"I hear a lot of players complain that the referees have too much control on the outcome of the game and the league is fine with it," the player said.

But the work of NBA referees is tirelessly monitored by the NBA, which posts an observer at every game to critique the officiating. Video of each game is then reviewed by league officials and outside observers, and referees are consulted about incorrect calls.



Sports handicapper Danny Sheridan said sports bookies are perhaps even more aggressive with their own checks and balances.

### CHEATING ON THE POINT SPREAD

Point shaving, in organized sports, is a type of match fixing where the perpetrators of the fix seek to prevent a team from covering a published point spread. The point spread, which is used to even out the public betting on a game, represents the number of points the perceived stronger team should win by. Unlike other forms of match fixing, point shaving is invariably motivated by sports betting. A point shaving scheme generally involves a sports gambler and one or more members of a sports team. In exchange for a bribe from the gambler, the player or players agree to ensure that their team will not cover the point spread.

### NEW YORK HOOP SCHEMES

Previous basketball scandals focused on the players, who were seduced from the college ranks.

Both of the two widespread point-shaving revelations that shook college basketball were traced to New York gamblers and prosecuted by the office of Manhattan District Attorney Frank Hogan. The first, which broke in 1951, caused the de-emphasis of the sport at City College, which had won both the NCAA and NIT championships in 1950, and at Long Island University. It also touched the programs at New York University and Manhattan College as well as national powers Kentucky and Bradley.

Ten years later, players from NYU, St. John's, Seton Hall, Columbia and Brooklyn College were among 37 from 22 colleges accused of accepting bribes to manipulate the point spreads in games. The mastermind of that operation was Jack Molinas, a former star player at Columbia whose NBA career with the Fort Wayne Pistons had been terminated in his first season for gambling on games involving his own team. Molinas, a brilliant student who earned a law degree, eventually was sentenced to a term of 10 to 15 years. He served five, mostly at Attica.

A third scandal, which came to light in 1981, was limited to Boston College. But that case also was linked to New York because the man pulling the strings was Henry Hill, a member of the Luchese crime family whose personal history was colorfully portrayed in the motion picture "Goodfellas." Hill testified for the prosecution during the trial in federal court in Brooklyn. Rick Kuhn, the marginal BC player who had induced former teammates Jim Sweeney and Ernie Cobb to help shave points in nine games during the 1978-79 season, was convicted and sentenced to 10 years imprisonment. The sentence later was reduced to 28 months. - JOE GERGEN

## SCORE CHECK

Those studying referee Tim Donaghy's games might have noticed some trends.

When the home team was favored by 0-4½ points, it went 5-12 in games officiated by Donaghy last season, according to Covers.com, a Web site that tracks referee trends. Home underdogs were 1-7 when the spread was 5-9 1/2 points.

Donaghy was part of a crew working the Heat-Knicks game in New York in February when the Knicks shot 39 free throws to the Heat's eight, technical fouls were called on Heat coach Pat Riley and assistant Ron Rothstein, and the Knicks won by six. New York was favored by 4½.

- The Associated Press

## TIM DONAGHY

AGE: 40

BORN: Jan. 7, 1967, in Delaware County, Pa.

NBA EXPERIENCE: 13 seasons

RESIDENCE: Bradenton, Fla.

HIGH SCHOOL: Cardinal O'Hara (Springfield, Pa.)

COLLEGE: Villanova University (1989) EXPERIENCE: Officiated 767 regular season and 20 playoff games, including 68 regular-season games and five playoff games during the 2006-07 season. ... Officiated in the Continental Basketball Association for seven years, including the 1993 CBA All-Star Game. ... Played varsity baseball at Villanova.

- NBA Officials Media Guide and Elias Sports Bureau

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## FBI investigating whether NBA ref bet on games

By BRIAN MAHONEY  
AP Basketball Writer

July 21, 2007, 4:08 AM EDT

A point-shaving scandal is an enormous problem in any sport. This one, which might involve an NBA referee, has the potential to permanently scar the league.

The NBA acknowledged Friday the FBI is investigating Tim Donaghy for betting on games, including ones in which he officiated.

"It's a shame," the Los Angeles Lakers' Kobe Bryant said. "It's just unfortunate. ... Like I said, it's a very serious issue."

According to a law enforcement official, authorities are examining whether the referee made calls to affect the point spread in games on which he or associates had wagered thousands of dollars over the past two seasons.

The referee had a gambling problem and was approached by low-level mob associates through an acquaintance, said the official, who spoke to The Associated Press on condition of anonymity because he wasn't authorized to discuss the ongoing investigation.

Gambling long has been a problem in sports, and leagues have made a point of educating players of the potential pitfalls. The NBA, for example, discusses gambling at rookie orientation, even bringing in former mobster Michael Franceze to speak.

And the NBA dealt with negative stories about its officials earlier this year when an academic study detailed a bias by referees against players of a different race. The league requires its officials to file reports and defend or discuss every questionable call they make in a game.

Donaghy, who reportedly has resigned, was an NBA official for 13 years. He officiated 68 games in the 2005-06 season and 63 games in 2006-07, according to the Elias Sports Bureau. He also worked 20 playoff games,

including five last season \_ Pistons-Magic on April 23; Warriors-Mavericks on April 27; Suns-Lakers on April 29; Nets-Raptors on May 4; and Spurs-Suns on May 12.

Those studying Donaghy's games might have noticed some trends.

When the home team was favored by 0-4½ points, it went 5-12 against the spread in games officiated by Donaghy this season, according to Covers.com, a Web site that tracks referee trends. Home underdogs were 1-7 against the spread when it was 5-9.5 points.

Donaghy was part of a crew working the Heat-Knicks game in New York in February when the Knicks shot 39 free throws to the Heat's eight, technical fouls were called on Heat coach Pat Riley and assistant Ron Rothstein, and the Knicks won by six. New York was favored by 4½.

Defense attorney John Lauro confirmed Donaghy is under investigation, but refused to comment on the allegations or the case.

"They are serious allegations," the leader of the referees' union, Lamell McMorris, told the Philadelphia Inquirer. "It's an ongoing federal investigation. And we don't really have much more to say about it, and neither do the referees."

In Bradenton, Fla., a woman came to the door of the home where Donaghy lives and shouted through the door: "We have no comment."

Donaghy is perhaps best-known previously as one of the referees in the 2004 game at Detroit that ended with Indiana Pacers players fighting with Pistons fans, among the biggest black marks in league history.

This could top it.

"We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again," commissioner David Stern said in a statement.

Stern's statement said the FBI is investigating allegations a "single" referee bet on basketball. But the law enforcement official said other arrests are expected.

NBA players in Las Vegas for USA Basketball minicamp were surprised and disappointed to learn of the accusations.

Denver Nuggets forward Carmelo Anthony said he was confident the NBA would sort it out.

"I'm pretty sure they're going to take care of it when they find out what's going on, so I leave it up to them," he said. "It's shocking. I'm pretty sure they're going to get to the bottom of it."

Nevada gambling regulators were not involved in an investigation and had no information about the allegations, said Jerry Markling, enforcement chief for the state Gaming Commission and Gaming Control Board.

Veteran oddsmaker John Avello, at the Wynn resort on the Las Vegas Strip, said that without specific information, it would be difficult to identify wagering irregularities over the last two seasons.

"At this point, it's too early to know if any games were affected," Avello said.

The law enforcement official said the referee had made arrangements to surrender as early as next week to face charges.

The investigation was first reported Friday by the New York Post.

"I'm shocked, terribly shocked," said Gary Benson, an NBA official for 17 years who retired two years ago.

Benson said he didn't work with Donaghy much.

"You have a lot of acquaintances and very few friends. ... I probably worked a handful of games with him overall, just a handful."

Donaghy's neighbors in Bradenton also knew little about the man who has grabbed the attention of the NBA and FBI.

Bob Girard, who lives near Donaghy in a gated community along a golf course, said he only noticed one thing out of the ordinary about his neighbor.

"His house just went up for sale," said Girard, who recalled Donaghy moving into the neighborhood less than a year ago.

When Girard saw the news of the NBA betting scandal on TV, he wondered whether it might involve his neighbor, the NBA referee with daughters who sometimes sold lemonade in front of their house for five cents a cup.

"They've got a nice family," Girard said. "They seem to be a pretty normal family to me."

\_\_\_P>

Associated Press Writer Pat Milton in New York, AP Writer Ken Ritter in Las Vegas, and AP Sports Writers Noah Trister in Little Rock, Ark., and Fred Goodall in Bradenton, Fla., contributed to this report.

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## Investigation of referee: NBA's worst nightmare

Johnette Howard

SPORTS COLUMNIST

July 21, 2007

Back before his own players started attacking him as racist, before his spats with Mavericks owner Mark Cuban and the brawl at Auburn Hills, before the dress-code flap and the on-court behavior crackdown and the TV ratings flops for recent NBA Finals - in short, before the NBA descended into the sort of trouble it knew when David Stern first took over a few decades ago - Stern used to be known as the "genius" of pro sports commissioners.

Stern will need to channel the old David, the Other David, now that his league has been rocked with the darkest incident in pro basketball history - an ongoing FBI investigation into a possibly mobbed-up referee, 13-year veteran Tim Donaghy, who may have shaved points in an unspecified number of games the past two seasons, allegedly because of gambling debts he couldn't repay.

It's a bombshell story, the sort of thing that chops away at the core of what a sports league offers spectators: the promise of authentic competition, the ironclad assurance that what you are seeing and caring about and paying for is real. Without that sort of integrity, sports enterprises inevitably go the way of make-believe wrestling or pro boxing or, lately, the Tour de France. Why bother investing your emotions in something fake?

Though the sort of corruption that Donaghy is accused of is hard to prove - is there another game more supremely suited to point shaving than basketball, in which literally hundreds of plays take place? - the suspicion of corruption is even harder to shake years after arrests are made or some jail door slams.

In the 25 years since I began my newspaper career as an NBA beat writer in Detroit, conspiracy theories have always floated around the NBA. Most have been dismissed as urban legend or the work of overactive minds. Until now.

Back in the 1980s, I used to cover two star teammates who religiously charted the point spread versus final game score for every league referee because they had some suspicions. New Yorkers still titter about the so-called "frozen envelope" that Stern plucked out of a bin to give the Knicks the right

to draft Patrick Ewing for the Knicks in 1985. I once did a story about an AAU team sponsor who warned me, in the midst of my reporting, that people shouldn't "go" with him because he had "friends." When I dug deeper into his past, I found he worked at a trucking company with another man who was accused of blowing up an A&P supermarket for the mob.

For years, there has been sinister whispering - though never any concrete evidence - that Michael Jordan's father was killed by the mob because of some Jordan gambling incident gone awry, and that Stern urged Jordan to take his mid-career baseball sabbatical for related reasons. Years ago, I heard that a colleague was investigating both rumors for some months; one night, coincidentally or not, someone broke into his office and stole the hard drive from his computer.

So stories such as Friday's report about an allegedly crooked referee have always been around, long before fans shrieked that Amare Stoudemire was suspended for leaving the bench in this year's playoffs because the league didn't want Phoenix to advance. And Stern, to his credit, often has treated even the slightest whiff of corruption with a firm hand.

Charles Barkley, back in his days in Philly, once vexed Stern by publicly saying he and an opposing player had bet each other in the final minutes of a tight game about who would make the winning shot. After Stern angrily summoned both of them to New York for a dressing down and a fine, Barkley - ever the mischief-maker - walked into the locker room the next night chirping, "Anyone know the point spread for tonight's game?"

Sixers coach Jimmy Lynam nearly swallowed the cigarette he was smoking.

But nothing Stern has ever faced has been as bleak or threatening to his league as this. The only thin consolation is that if the allegations about Donaghy are true, history suggests that leagues or universities where scandals have occurred do rebound. It happened with baseball after the Pete Rose betting scandal. It happened at colleges such as Boston College and Northwestern after basketball point-shaving scandals. It's happened in various overseas soccer leagues.

Trust can be recovered in sports. It's the path to getting there that's hell.

Seasons of discontent

Troubles abound for all the major professional team sports:

MLB: A steroids investigation by former Senate Majority Leader George Mitchell is under way. The possible use of performance-enhancing substances has shadowed Barry Bonds' chase of Hank Aaron's career home run record.

NFL: Some of the league's latest off-field woes: A federal grand jury indicted Falcons quarterback Michael Vick on charges related to the alleged operation of a dog fighting ring, numerous members of the Bengals have been involved in legal trouble, and Titans cornerback Pacman Jones is sitting out the season because of a series of transgressions.

NBA: The FBI is investigating allegations that veteran referee Tim Donaghy bet on basketball games during the past two seasons, including ones in which he officiated. Authorities are examining whether the referee made calls to affect the point spread in games on which he or associates had wagered.

NHL: Former player Rick Tocchet pleaded guilty in May to running a sports gambling ring.

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The New York Times

## Referee Is the Focus of a Federal Inquiry

By ALAN SCHWARZ  
and WILLIAM K. RASHBAUM

Law enforcement officials are investigating allegations that the veteran N.B.A. referee Tim Donaghy influenced the outcome of professional basketball games on which he or associates of his had wagered, several people familiar with the inquiry said yesterday.

According to a person with direct knowledge of the matter, federal officials are investigating whether Donaghy bet on N.B.A. games during the past two seasons, and whether since December 2006 he made calls that affected any game's margin of victory while being coerced by members of organized crime.

A federal grand jury in Brooklyn is reviewing the case, which has been going on for several months and is expected to be concluded within a few weeks.

Donaghy, 40, who completed his 13th season

*Looking into whether an N.B.A. official made bets and affected victory margins.*

in the N.B.A., could not be reached for comment. People involved with the situation said he was aware of the investigation, had resigned from his N.B.A. position about 10 days ago, and would surrender to law enforcement officials if charges were brought against him.

An F.B.I. spokesman, Neil Donovan, and Donaghy's lawyer, John Lauro, declined to comment. Lauro was an assistant United States attorney from 1986 to 1988 in the same Eastern District of New York office that is investigating

Donaghy.

N.B.A. Commissioner David Stern issued a statement that said, "We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again." Stern added that the league would hold a news conference next week.

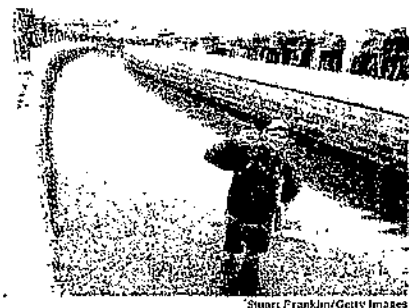
By agreement with the league, referees are forbidden to speak with the news media. But one veteran official said yesterday in a telephone interview that he was "furious" with Donaghy.

"It's mind-boggling," said the official, who said he had not been contacted by federal officials as part of their investigation. "You never think one of your own, your colleagues, would do some-

Continued on Page D6

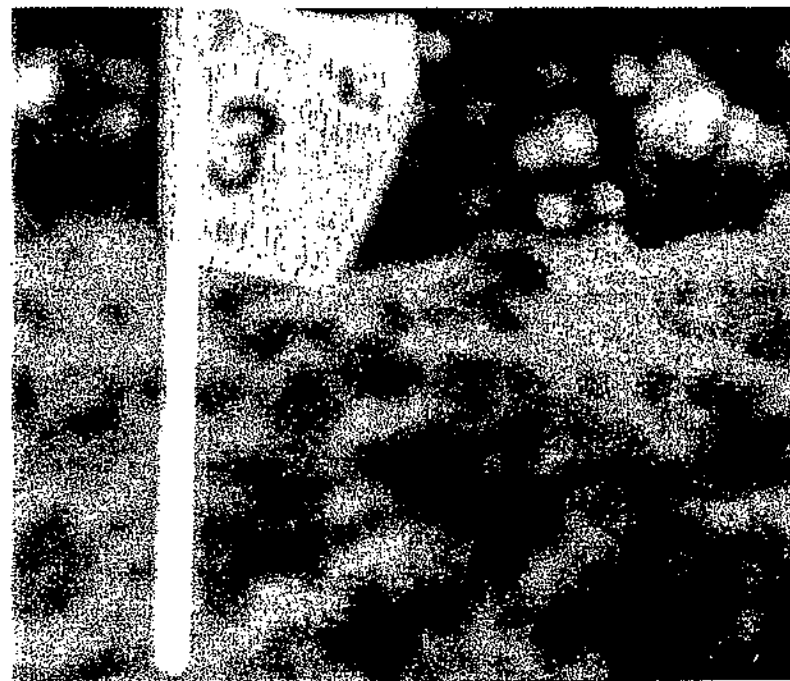


Tim Donaghy, 40, who worked in the N.B.A. for 13 seasons, resigned about 10 days ago amid a review of his case by a federal grand jury.



A fan showed off the ball Tiger Woods hit out of bounds and into the water to start his second round at the British Open.

**Carnoustie  
Bares Its Teeth,  
And the Field  
Feels Its Bite**



## With Selig Watching, Bonds Will Attempt To Make History

By JACK CURRY

MILWAUKEE, July 20 — With Barry Bonds needing three homers to eclipse Hank Aaron's career record and with his taking those swings about four miles from Commissioner Bud Selig's office here, Selig was in attendance for the potentially historic game at Miller Park on Friday night.

Although Selig was here to see Bonds and the San Francisco Giants oppose the Milwaukee Brewers, he has still not publicly said he would attend Bonds's record-breaking games. Selig said he would return Saturday and Sunday, too, meaning he could see Bonds overtake Aaron without ever saying he planned to.

"This is a big game," Selig said. "I know all the history. I don't want to

weekend, he said, "I'll decide that after Sunday."

Manager Bruce Bochy said Bonds, who has 753 homers, would play two of the three games here. He hinted that Bonds would not start Sunday. After that, the Giants return home for seven games at AT&T Park. Bochy had little to say about Selig's presence.

"He's our commissioner," Bochy said. "We're in Milwaukee. My focus can't be there or anywhere. It's on this ballgame."

Selig, who held an impromptu press conference in the fourth inning, said it was "common sense" for him to be at Miller Park. He said he did not speak with Bonds and had no plans to meet with him. Selig, who is a friend of Aaron's, said he spoke

DONAGHY-2064

## CYCLING TOUR DE FRANCE

## PRO BASKETBALL

## Leeps Lead; Continues

## TOUR DE FRANCE

Complete coverage of the 2007 race, including live updates, age-by-stage standings, rider profiles, maps of the race route and multimedia at: [times.com/tourdefrance](http://times.com/tourdefrance)

carry a box of illegal doping products to Europe in 2002.

Asked by a VeloNews reporter at a post-race news conference about charges made by Whitney Richards, a former mountain-bike racer who lives in Colorado, Rasmussen said he knew him but declined to comment further. Richards could not be reached for comment.

Rasmussen has submitted to two blood tests and four urine tests during the Tour de France, and no positive results for any test have been reported. But Rasmussen has come under sharp questioning at the Tour or his practice of training in Mexico, his wife's home country but also a place that is far from the sport's governing authorities, who are based in Europe. Rasmussen said he trained there at high altitude for physiological purposes.

He also acknowledged this week that he sometimes trained in Denmark in an anonymous jersey, rather than his Rabobank team jersey, saying he does so to avoid being interrupted by fans.

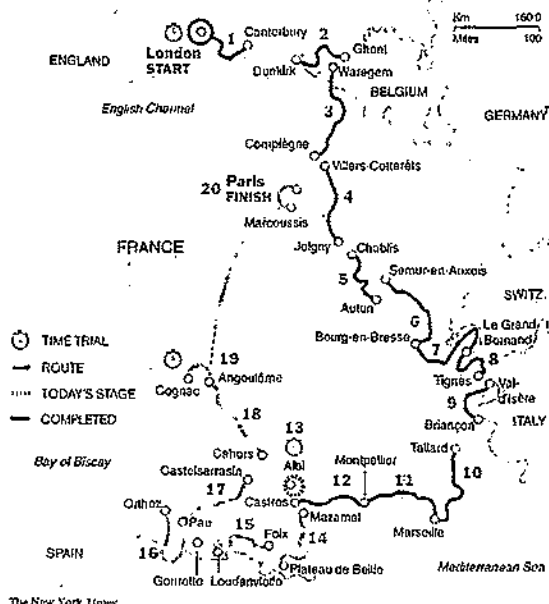
Rasmussen said Friday that he made a mistake in failing to file proper forms with the cycling union, known by its French initials U.C.I. "I do admit that I committed error, and I received a warning from the U.C.I.," Rasmussen said. He added that he was "one of many" riders who have been warned by the U.C.I. for failure to properly disclose their whereabouts for drug-testing purposes.

Rasmussen questioned whether cycling officials were trying to make the Tour look bad by raising issue of Rasmussen's tests now, rather than before the race started. He noted that the Danish federation allowed Rasmussen to start in national championship race after he missed his second test, and they had tested him for illegal substances at that event.

The cycling union and the Amaury Sports Organization, or A.S.O., company that owns the Tour de France and several other major races, have been feuding for the last 10 years over the U.C.I.'s establishment of the ProTour, a series of professional cycling races.

The A.S.O. and the organizations that stage the two other three-week tours, the Tour of Italy and Tour of Spain, have opposed some of the ProTour measures, which they see as threatening to revenues and television rights.

## 2007 Tour de France



Start July 7 Finish July 29 Stages 20 and a prologue  
Miles 2,206 Teams 21 TV Versus

## YESTERDAY: Stage 12, Montpellier to Castres 110.9 miles

LEADER	FROM	TEAM	TIME
1 Tom Boonen	Belgium	Quick Step	4:25:32
REST OF TOP 10			
2 Erik Zabel	Germany	Team Milram	same
3 Robert Hunter	South Africa	Barloworld	same
4 Daniele Bernini	Italy	Lampre	same
5 Thor Hushovd	Norway	Crédit Agricole	same
6 Bernhard Eisel	Austria	T-Mobile	same
7 Sébastien Chavanel	France	Française des Jeux	same
8 Nicolas Jalabert	France	Agritubel	same
9 Robert Forster	Germany	Gerolsteiner	same
10 Andrey Kashechkin	Kazakhstan	Astana	same

## OVERALL STANDINGS

LEADER	FROM	TEAM	TIME
1 Michael Rasmussen	Denmark	Rabobank	57:37:10
REST OF TOP 10			
2 Alejandro Valverde	Spain	Caisse d'Epargne	2:35
3 Iban Mayo	Spain	Sauvage Duval-Prodier	2:39
4 Cadel Evans	Australia	Lotto	2:41
5 Alberto Contador	Spain	Discovery Channel	3:08
6 Carlos Sastre	Spain	Team CSC	3:39
7 Andreas Klöden	Germany	Astana	3:50
8 Levi Leipheimer	United States	Discovery Channel	3:53
9 Kim Kirchen	Luxembourg	T-Mobile	5:06
10 Mikel Astiazar	Spain	Euskaltel-Euskadi	5:20

## OTHER AMERICANS

		TIME BEHIND
23 Christopher Horner	Lotto	9:11
37 George Hincapié	Discovery Channel	26:21
43 Christian Vande Velde	Team CSC	32:46
143 Fred Rodriguez	Lotto	1:36:10

TODAY: Stage 13, Albi, individual time trial 33.6 miles

## N.B.A. Referee Is Focus Of a Federal Inquiry

Continued From First Sports Page

thing so stupid as to bet on games and manipulate the score. It's unbelievable."

The official added that a group of referees may hold a news conference in the near future "to show that this was one bad apple in the bunch."

Kobe Bryant, the Los Angeles Lakers star who was in Las Vegas for workouts with the national team, was more matter of fact.

"It's a hard pill to swallow," Bryant said. "But it's just the reality of the matter. As basketball players, all we can do is go out and play hard and leave it all on the floor."

"And it's a great association. And the commissioner, I'm sure he's going to take care of it."

The New York Post first reported the investigation yesterday morning, but did not identify the referee.

According to a person directly involved with the case, it involves no other N.B.A. official and it is focusing on whether Donaghy affected the margin of victory in about 10 or 15 games of the 60 he officiated since December 2005.

The person said that Donaghy had been betting on games before that, fell into debt, and ultimately fell under the influence of a person representing himself as a member of organized crime, who threatened to report Donaghy to the N.B.A. or harm his family if he did not cooperate.

An estimated \$250 million is wagered on N.B.A. games annually, with most bettors predicting not which team will win, but whether the winner's final margin of victory will be above or below a specific number.

Improperly influencing the outcome of games typically runs afoul of either the federal Racketeer Influenced and Corrupt Organizations Act or other federal and state statutes re-

coach Doc Rivers, after Donaghy ejected him from a game, accused Donaghy of being biased against him. The Boston Globe reported that Rivers lodged a complaint with the league, but it appears the matter did not go much further.

Donaghy has faced controversy away from the basketball court as well. He was sued by a neighbor in a Pennsylvania civil court in January 2005 for yelling obscenities and setting fire to a tractor. The plaintiffs in that case, Peter and Lisa Mansueto of



Tim Donaghy worked 131 regular season games the last two seasons.

West Chester, Pa., declined to discuss how that case was resolved in a telephone interview last night.

According to STATS LLC, Donaghy officiated 131 regular-season and 8 postseason games the last two seasons. Donaghy called games involving every N.B.A. team during that period. He saw some teams a handful of times, like the Chicago Bulls (five games), and others a lot more, like the Miami Heat (15).

This is the third time in recent months that N.B.A. officials have come under scrutiny for their behavior.

In April, the longtime official Joey Crawford was suspended for the rest of the season for improper conduct toward the Tim Duncan of the San Antonio Spurs. Duncan, who had been whistled earlier for a technical foul, was ejected by Crawford late in the third quarter for laughing from the bench after a teammate was called for a foul.

Two weeks later, two Ivy League academics completed a study that said white and black officials called fouls at different rates against white and black players — though the variance was not considered different from other interactions.

The N.B.A. has repentedly said its system of monitoring and statistically analyzing referee calls ensures the highest level of fairness, with Stern often saying, "They are the most ranked, rated, reviewed, statistically analyzed and mentored group of employees of any company in any place in the world."

## More controversy for an official who has been there before.

garding mail and wire fraud.

Donaghy's time in the N.B.A. has been dotted with controversy. After officiating a game against the Portland Trail Blazers in January 2003, he was physically threatened by the temperamental Portland star Rasheed Wallace as they encountered each other in the arena's loading dock. Wallace, whom Donaghy had called for a technical foul during the game, was suspended by the league for seven games; Donaghy was not reprimanded.

In April 2005, the Boston Celtics

Selena Roberts contributed reporting from Las Vegas.

## SCOREBOARD

U.S. BANK CHAMPIONSHIP	
72-5-147 +5	MILWAUKEE
71-6-147 +5	Yardage: 7,127; Par 70
74-12-147 +5	Second Round: Out E
72-5-147 +5	Final Round: In

NEW YORK STATE OPEN	
BETHPAGE, New York	Yardage: 7,249; Black-Par 71
Final Round: In	

HSBC WOMEN'S WORLD MATCH PLAY	
NEW ROCHELLE, N.Y.	

## PRO BASKETBALL

W.N.B.A. STANDINGS	
EASTERN CONFERENCE	W L Pct GR

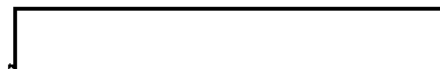
## PAN AMERICAN GAMES

MEDALS TABLE	
Country	G S B Tot
United States	22 15 10 47

## TRANSACTIONS

BASEBALL	
National League	

b7A -1



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	YORK
	PNH

K

b6 -1  
b7C -1

# Sports

July 21, 2007

Baseball 24-27 Horse Racing 28 Golf 29

The Star-Ledger

## BASEBALL

### TRADE WINDS ARE BLOWING IN THE YANKEES' BULLPEN

Royals reliever Octavio Dotel, an ex-Yank, has landed on the team's radar. Page 27

## GOLF

### OCHOA IS SURPRISE LOSER AT WORLD MATCH PLAY EVENT

Tour rookie Meaghan Francella stuns the world's top-ranked player. Page 29

## ugh starts on Day 2 at the British Open



ALASTAIR GRANT/ASSOCIATED PRESS

through on his tee shot on the 16th hole yesterday at the British Open as he heads for a second-round 71 that kept him at 6-under for a J. Choh. "I was hoping for a little better than what I did," Garcia said. "But that was not a bad round."

# Garcia keeps cool

recovers after shank; Tiger unnerved by duck-hook

Y DOUG FERGUSON  
ASSOCIATED PRESS

IE, Scotland — A shank for a duck-hook for Tiger Woods. were shocking to see on the Carnoustie. The bigger surprise British Open was which player at the guy with 12 majors, but his first.

ld shank," Garcia said, able to ven-par 71 kept him 6 under for t and gave him a two-shot lead of the leader board.

the turf and disappear into the burn and out-of-bounds, putting two strokes on his card before he put a ball in play.

"It was such a poor shot because the commitment wasn't there," said Woods, who made double bogey on his way to a 3-over 74 that left him seven shots behind in his quest to become the first player in 51 years to win the claret jug three straight times.

"Still not out of it," Woods said, even though 18 players separated him from the top of the leader board.

Garcia took another step toward validation

## THE LEADER BOARD

### THE LEADER

Sergio Garcia 65-71—136 -6

### THE FOLLOWERS

K.J. Choi 69-69—138 -4

Miguel Angel Jimenez 69-70—139 -3

Mike Weir 71-68—139 -3

### THE NAMES

Jim Furyk 70-70—140 -2

Angel Cabrera 68-73—141 -1

Retief Goosen 70-71—141 -1

# NBA ref under fire in scandal

Donaghy investigated by FBI for point-shaving

BY DAVE D'ALESSANDRO  
STAR-LEDGER STAFF

The late, immortal Richie Powers once described his job as an NBA official as "the only profession in which the greatest accolade is deathly silence," but now the league faces a deafening challenge to its integrity following allegations that a veteran referee has bet on games and manipulated the point spread for gamblers with ties to organized crime.

Tim Donaghy, a 40-year-old official from the Philadelphia area who has been employed as an NBA ref for 13 years, is under FBI investigation for influencing the outcomes of NBA games during the 2005-06 and 2006-07 seasons, the league has confirmed.

Though David Stern initially refused substantive comment early yesterday, when the story appeared on the front page of the New York Post, the commissioner issued a statement after Donaghy's identity, his reported gambling problem, and an alleged association with the underworld were disclosed.

"We were asked by the government not to comment about the investigation, but in light of the widespread press coverage and the naming of the referee, Tim Donaghy, we consider it appropriate to make a fuller statement," Stern's statement read.

"We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again."

Stern will have a news conference next week. By then, the league expects Donaghy to surrender to

(See NBA, Page 24)

# Yankees humiliated by Rays

DONAGHY-2067  
Mussina knocked out in 5th



	4 p.m. TV: MSG				7 p.m. TV: MSG		
<b>MINOR LEAGUE BASEBALL</b>							
<b>Trenton</b> TIX: (609) 394-3300	at New Britain 7 p.m.	at New Britain 1:30 p.m.	Érie 7 p.m.	Érie 7 p.m.	Érie Noon	at Reading 7 p.m.	at Reading 7 p.m.
<b>Atlantic City</b> TIX: (609) 344-7873	at Nashua 7 p.m.	at Nashua 2 p.m.	at North Shore 7 p.m.	at North Shore 7 p.m.	at North Shore Noon		Worcester 7 p.m.
<b>Brooklyn</b> TIX: (718) 449-8497	Tri-City 6 p.m.	Tri-City 5 p.m.		at Batavia 7 p.m.	at Batavia 7 p.m.	at Batavia 7 p.m.	Vermont 7 p.m.
<b>Camden</b> TIX: (866) 742-7579	Road Warriors 7 p.m.	Newark 1 p.m.	Newark 7 p.m.	Newark 11 a.m.	at Bridgeport 7 p.m.	at Bridgeport 10 a.m.	at Bridgeport 7 p.m.
<b>Lakewood</b> TIX: (732) 901-7000	at Greensboro 7 p.m.	at Greensboro 5 p.m.	at Greensboro 7 p.m.	at Greensboro 12:30 p.m.	at Lexington 7 p.m.	at Lexington 7 p.m.	at Lexington 7 p.m.
<b>Newark</b> TIX: (866) 554-2327	Bridgeport 6 p.m.	at Camden 1 p.m.	at Camden 7 p.m.	at Camden 11 a.m.	Road Warriors 7 p.m.	Road Warriors 11:05 a.m.	Road Warriors 7 p.m.
<b>N.J. Jackals</b> TIX: (973) 655-8025	at Brockton 7 p.m.	at Brockton 5 p.m.		Can-Am 7 p.m.	Can-Am 7 p.m.	Can-Am 7 p.m.	Sussex 7 p.m.
<b>Somerset</b> TIX: (908) 252-0700	York 7 p.m.	at Long Island 5 p.m.	at Long Island 7 p.m.	at Long Island 7 p.m.	Long Island 11 a.m.	Long Island 7 p.m.	Long Island 7 p.m.
<b>Staten Island</b> TIX: (716) 720-9265	State College 7 p.m.	State College 2 p.m.		at Oneonta 7 p.m.	at Oneonta 7 p.m.	at Oneonta 7 p.m.	at Tri-City 7 p.m.
<b>Sussex</b> TIX: (973) 300-1000	Can-Am 5 p.m.	Can-Am 2 p.m.		at Quebec 7 p.m.	at Quebec 7 p.m.	at Quebec 7 p.m.	at N.J. Jackals 7 p.m.

Shaded boxes indicate home games \* Rescheduled by completion of suspended game of June 28

## NBA

CONTINUED FROM PAGE 23

authorities, according to an official in the league office who sought anonymity to honor Stern's gag order.

Donaghy, whom the official said resigned earlier this month after learning of the FBI investigation, could not be reached for comment at his home in Bradenton, Fla., yesterday. His attorney, John Lauro of Tampa, did not return a phone message.

While Stern's concern with regard to fan backlash was undoubtedly earnest, one of his most distinguished referees yesterday said he feared that Donaghy has breached a confidence that may never be mended — even by a man of Stern's PR genius.

"This is a sad and ugly day for the league, but especially us officials," said the referee, a veteran with more than two decades in the game who could not identify himself because of a mandate for silence from both the league and the referee's union. "There have been rumblings the last couple of weeks, but I have to tell you, no one would ever suspect this. Not in my wildest dreams."

"How will it affect our jobs? Just take it and put it in your own world: If you had a colleague who was doing something illegal, and now everyone thinks people in your profession is corrupt, it makes you sick to your stomach."

"It's an outrage. I don't know any other way to put it. And now we're all painted with the same brush — probably for as long as the game is around."

Donaghy has been around since 1994, and since then has been somewhat nondescript, with a reputation for being a fair referee but lacking the charisma or gravitas to be a lead official. A Springfield, Pa., native, he was an All-Delaware County athlete in baseball and basketball before playing for Villanova, where he graduated in 1989.

He had managed to avoid any controversy in the NBA until 2003, when he became involved in an argument with Rasheed Wallace on the loading dock at the Rose Garden in Portland as the two left



NBA ENTERTAINMENT

NBA referee Tim Donaghy resigned earlier this month after learning of the FBI investigation into his alleged point-shaving.

the arena. The altercation led to a seven-game suspension for the explosive Wallace.

Off the court, Donaghy was sued in 2005 after being accused of harassment and invasion of privacy by a neighboring couple that claimed he had stalked them and vandalized their property in West Chester, Pa., according to the Philadelphia Inquirer.

Robert Neely, a friend he did clinics with, said Donaghy started a basketball clinic 10 years ago as part of community service after the airline ticket scandal among NBA referees.

"It's mind-boggling. I've known him for 10 years and he's a really nice guy," said Neely, the director of activities at the Don Guanella school in Springfield, Pa., a school for boys with a wide variety of disabilities ranging in age from 6 to 21.

"I don't know. It's hard. I guess I'm not stunned. I know he had some run-ins with his neighbor. I heard he has a hot temper, but I've never seen it. He's been really nice to the kids and he was instru-

mental in starting the clinic. I don't know what I'm going to tell the kids."

Despite the few negative incidents in Donaghy's career, none of his peers anticipated anything like the point-shaving allegations that emerged yesterday. It is not unprecedented for NBA referees to have gambling problems — Hall of Famer Mendy Rudolph was famously approached by a Las Vegas gambler to shave points to erase his heavy debts, according to an interview his wife, Susan, gave to the New York Times in 1992 — but the league scrutinizes each officially assiduously.

For example, every call in every game is graded by a referee-supervisor watching from the stands; and after each game every official is required to review controversial calls and file reports to the league office for review. The scrutiny has sharply ramped up the accountability. It is not uncommon for referees to be fined and suspended for blowing calls, particularly those that influence the outcome of games.

As Stern put it in a 2006 interview with ESPN, referees "are the most watched and viewed metro-sized work force in America. That is to say, every call, judgments are made whether it was correct or not, whether they were in the right position, whether they're working well in teams, and then they're ranked not only by us and by our referee department and our basketball offices, but by the coaches and the general managers."

But with larger demands come larger benefits. A typical referee will work 68 to 75 games, and the base salary for a newcomer is \$80,000. The more experienced officials can make up to \$350,000. And if a ref isn't chosen to work the playoffs, he is still given a share of the bonus pool.

Donaghy officiated 131 games in the past two seasons, including 20 playoff games, according to the Elias Sports Bureau. The penultimate game he worked was Game 6 of the Nets-Raptors series on May 4.

Staff writer David Waldstein contributed to this report.

Dave D'Alessandro may be reached at ddadlessandro@starledger.com

Oakland At-  
1; Philadelphia  
monarchs  
40/1, Seattle  
Jays 50/1, 1  
1; San Fran-  
cisco Red  
100/1, 50/1  
50/1, Tex.

Eastern R.  
7/1 3/1; Ck  
6/1 20/1, 1  
Blue Jays 3  
25/1, Tex.  
Texas Rang

METS 5/1  
1; San Diego  
10/1 10/1,  
Louis Cardinals  
50/1, Houston  
Pirates 50/1  
50/1

In the sun  
Went 15-13

**AUTO R**  
Europe C  
Rohlf 8p  
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**BASEB**  
D. Rays  
D'backs  
Mets at C  
D. Rays  
**BOXING**  
Hopkins  
**CYCLIN**  
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**LPGA M**  
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July 21, 2007 Saturday 1:23 AM GMT

**SECTION:** STATE AND REGIONAL**LENGTH:** 1095 words**HEADLINE:** FBI investigating whether NBA ref bet on games**BYLINE:** By BRIAN MAHONEY, AP Basketball Writer**BODY:**

David Stern led the NBA through drug problems and work stoppages. Now his league faces the stigma of a point-shaving scandal involving a referee.

The NBA acknowledged Friday that the FBI is investigating Tim Donaghy for betting on games, including ones in which he officiated.

According to a law enforcement official, authorities are examining whether the referee made calls to affect the point spread in games on which he or associates had wagered over the past two seasons.

The referee had a gambling problem and was approached by low-level mob associates through an acquaintance, said the official, who spoke to the AP on condition of anonymity.

Donaghy, a Delaware County native and graduate of Cardinal O'Hara High School and Villanova University, is perhaps best-known previously as one of the referees in the 2004 game at Detroit that ended with Indiana Pacers players fighting with Pistons fans, among the biggest black marks in league history.

This could top it.

"We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again," Stern said in a statement.

Donaghy officiated 68 games in the 2005-06 season and 63 games in 2006-07, according to the Elias Sports Bureau. He also worked 20 playoff games, including five last season: Pistons-Magic on April 23; Warriors-Mavericks on April 27; Suns-Lakers on April 29; Nets-Raptors on May 4; and Spurs-Suns on May 12.

The National Basketball Referees Association did not return calls for a statement, and Donaghy reportedly has resigned from the league.

A woman came to the door of the Bradenton, Fla. home where Donaghy lives and shouted through the door: "We have no comment."

Defense attorney John Lauro confirmed Donaghy is under investigation but refused to comment on the allegations or the case.

Stern's statement said the FBI is investigating allegations a "single" referee bet on basketball. But the law enforcement official, who requested anonymity because he was not authorized to discuss the ongoing case, said other arrests are expected.

DONAGHY-2070

Those studying Donaghy's games might have noticed some trends.

When the home team was favored by 0-4 1/2 points, it went 5-12 against the spread in games officiated by Donaghy this season, according to Covers.com, a Web site that tracks referee trends. Home underdogs were 1-7 against the spread when it was 5-9.5 points.

Donaghy was part of a crew working the Heat-Knicks game in New York in February when the Knicks shot 39 free throws to the Heat's eight, technical fouls were called on Heat coach Pat Riley and assistant Ron Rothstein, and the Knicks won by six. New York was favored by 4 1/2.

NBA players in Las Vegas for USA Basketball minicamp were surprised and disappointed to learn of the accusations.

"As a competitor, as hard as I play, it is disappointing, definitely," LeBron James said.

Pistons guard Chauncey Billups said he was surprised to learn of Donaghy's situation.

"I think everybody had the same kind of reaction whether you played in the league or just a regular citizen," Billups said.

Gambling long has been a problem in sports, and leagues have made a point of educating players of the potential pitfalls. The NBA, for example, discusses gambling at rookie orientation, even bringing in former **mobster** Michael Franceze to speak.

And the NBA dealt with negative stories about its officials earlier this year when an academic study detailed a bias by referees against players of the opposite color. The league requires its officials to file reports and defend or discuss every questionable call they make in a game.

The law enforcement official said the referee was aware of the investigation and had made arrangements to surrender as early as next week to face charges. The law enforcement official said the bets involved thousands of dollars.

The investigation first was reported Friday by the New York Post.

"I'm shocked, terribly shocked," said Gary Benson, an NBA official for 17 years who retired two years ago because of knee problems. "Those are people that you work with and that you literally you spend more time with those people than you do with your family."

Benson said he didn't work with Donaghy much.

"You have a lot of acquaintances and very few friends. ... I probably worked a handful of games with him overall, just a handful."

Donaghy's neighbors in Bradenton also knew little about the man who has grabbed the attention of the NBA and FBI.

Bob Girard, who lives near Donaghy in a gated community along a golf course, said he only noticed one thing out of the ordinary about his neighbor.

"His house just went up for sale," said Girard, who recalled Donaghy moving into the neighborhood less than a year ago.

When Girard saw the news of the NBA betting scandal on TV, he wondered whether it might involve his neighbor, the NBA referee with daughters who sometimes sold lemonade in front of their house for five cents a cup.

"They've got a nice family," Girard said. "They seem to be a pretty normal family to me."

Next-door neighbor Earle Swan said he had not spoken more than four words to Donaghy since he moved in.

Nevada gambling regulators were not involved in an investigation and had no information about the allegations, said Jerry Markling, enforcement chief for the state Gaming Commission and Gaming Control Board.

Veteran oddsmaker John Avello, at the Wynn resort on the Las Vegas Strip, said that without specific information it would be difficult to identify wagering irregularities over the last two seasons.

"At this point, it's too early to know if any games were affected," Avello said, adding that no regulators or investigators had contacted him about the case.

Jay Kornegay, executive director of the sports book at the Las Vegas Hilton, said he had never seen any unusual activity in NBA betting, and was surprised not to have heard about an investigation until Friday.

"Whispers would have happened on the street, and we would have heard something," Kornegay said. "Any type of suspicious or unusual movements, you usually hear in the industry. We're so regulated and policed, any kind of suspicion would be discussed.

"We haven't seen anything like that in the NBA that I can remember," he said.

Associated Press Writer Pat Milton in New York, AP Writer Ken Ritter in Las Vegas, AP Sports Writers Noah Trister in Little Rock, Ark., and Fred Goodall in Bradenton, Fla., contributed to this report.

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# 'HOOPS FIX' REF

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New York Post, Sunday, July 22, 2007  
nypost.com



Scandal referee Tim Donaghy, holding his ground against Lakers coach Phil Jackson, was quick to call controversial fouls.

## 8 games where disputed calls swayed score

By BRAD HAMILTON,  
BRETT CYRGAUS  
and HOWARD KUSSOY

NBA referee Tim Donaghy worked 140 games in the last two seasons as part of a three-person crew. The Post examined box scores and play-by-play transcripts for all 140 games — and found games where controversial calls factored into the outcome or the betting spread.

■ **March 6, 2006**  
Utah 90, Orlando 85  
Utah favored by 6 points  
Fouls: Orlando 31, Utah 26  
(League average is 44 total)

With 9.5 seconds left in the game, Utah's Andrei Kirilenko blocked a Jameer Nelson floater and a DeShawn Stevenson three-pointer, sealing the victory for the Jazz, and getting both

Nelson and Stevenson technical fouls for arguing with Donaghy and his crew.

■ **March 27, 2006**  
Miami 96, Indiana 91  
Miami favored by 8½  
Fouls: Indiana 23, Miami 19

With 5:25 left in the first half, Miami's Udonis Haslem gets called for an offensive foul against Jermaine O'Neal, resulting in a pushing match and both players receiving technical fouls. Haslem then argued, got his second technical, and was ejected.

■ **Nov. 24, 2006**  
Atlanta 97, Toronto 93  
Atlanta favored by 3

Fouls: Atlanta 25, Toronto 22  
Up by three with 17 seconds left, a foul is called on Toronto's T.J. Ford which sends Joe Smith

to the line, where he makes a free throw and solidifies the 3-point cover.

Earlier in the game, Toronto's head coach Sam Mitchell gets a technical foul after clashing with officials and Donaghy slaps Toronto guard Darrick Martin with a technical for talking from the bench.

■ **Nov. 25, 2006**  
Chicago 106, Knicks 95  
Chicago favored by 2  
Fouls: Knicks 32, Chicago 27

Donaghy ejects Chicago head coach Scott Skiles 56 seconds into the third period for arguing over a foul against Malik Allen. Knicks guard Steve Francis was ejected in the fourth quarter as well.

■ **Dec. 1, 2006**  
Orlando 91, Portland 89  
Orlando favored by 4

Fouls: Portland 21, Orlando 20  
Orlando forward Grant Hill makes a game-winning layup with just .3 seconds left after officials put an extra 1.2 seconds on the clock following a missed Portland shot.

■ **Dec. 11, 2006**  
Phoenix 103, Orlando 89  
Orlando favored by 1  
Fouls: Orlando 23, Phoenix 18

Orlando head coach Brian Hill storms the floor after his dominating big man, Dwight Howard, fouls after 19 minutes of play. Amare Stoudemire, led Phoenix with 30 points, shooting 12 of 14 at the free throw line. Howard did not attempt one free throw.

■ **Jan. 24, 2007**  
Philadelphia 118, Cleveland 115, 2 OT

Cleveland favored by 11  
Fouls: Philadelphia 26, Cleveland 24

Game turns after Cleveland center Zydrunas Ilgauskas fouls out on a questionable call after appearing to block a shot with 2:24 left. The Cavaliers, leading by three entering the fourth quarter, were called for 12 of 24 team fouls in the fourth quarter and overtimes.

■ **April 10, 2007**  
Nets 96, Washington 92  
Even spread

Fouls: Nets 28, Washington 26  
AP reports that Washington players felt unfairly treated and writes, "The game was full of head-scratching calls." But the Wizards' DeShawn Stevenson did not draw a foul on two drives in the final minute.



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## NBA GAMBLING SCANDAL

# ZEBRA MAY TURN RAT

Referee Tim Donaghy was charged with disorderly conduct and harassment against mail carrier Charles Brogan (below inset) in 2002. Photos by Getty (r.) and Anthony DelMundo



## Disgraced referee could blow whistle on others in betting scandal, feds say

FEDERAL AUTHORITIES believe the referee at the center of the betting and game-fixing probe rocking the NBA will cooperate with investigators — and possibly name other officials or players involved in the scandal, law enforcement sources told the Daily News.

Saddled with large gambling debts, Tim Donaghy allegedly used mobbed-up bookies to place thousands of dollars in bets on games over the past two seasons, including contests he officiated, the sources said.

Two of the bookies are expected to be arrested this week after Donaghy surrenders to authorities in New York as early as Tuesday, the sources said.

Investigators do not yet know if the NBA gambling scandal extends beyond Donaghy, who has hired former federal prosecutor John Lauro as his defense attorney. The Tampa-based Lauro specializes in representing whistleblowers, the sources said.

"I don't know what he'll say if he comes in," a law enforcement source said.

New details of the growing scandal emerged yesterday and painted a troubling picture of the 40-year-old Donaghy. The so-called family man, who hid his frightening temper and shady associates from public view, has been arrested twice before for erratic and threatening behavior.

In June 2002, he was charged with disorderly conduct and harassment for nearly running a U.S. postal carrier off the road after the mailman accidentally knocked over a bin of recyclables in front of the ref's Pennsylvania home.

"He was pretty nasty," mail carrier Charles Brogan, 48, said as he recalled trying to make a delivery at Donaghy's West Goshen home. "I just drove down the road. I thought, 'No way I'm going back there.'"

As Brogan attempted to drive his route, a screaming Donaghy chased him by hopping into his car and speeding after the postal truck, Brogan said.

"He kept cutting me off," said Brogan, adding that Donaghy narrowly avoided ramming his truck several times. "He wouldn't let me deliver the mail."

"At one point he got out of his car and started threatening me face to face," Bro-

BY MIKE JACCARINO  
in West Goshen Township, Pa.  
and JOHN MARZULLI  
and JONATHAN LEMIRE  
in New York  
DAILY NEWS STAFF WRITERS

gan said. "He was yelling, 'I'll have your job. I know so and so.'"

Brogan said Donaghy later came to the post office to apologize at least three times, but said the mailman refused to talk to him. The case was dropped because Brogan failed to show up for a court hearing.

Donaghy, a 13-year veteran of the NBA, also was arrested for harassing and stalking Dennis Van Zandt in Haverton Township, Pa., in June 1995, according to court papers. Van Zandt refused to discuss the incident yesterday for fear of retribution.

"You read the story," he said. "I don't want to talk about it for obvious reasons."

Donaghy, who now lives in Bradenton, Fla., also was sued by a former West Chester neighbor in 2005 for instigating "a pattern of public harassment," according to court papers.

Sources told The News that federal authorities first heard Donaghy's name on a wiretap during investigations into the Gambino crime family over the past year.

A Philadelphia wiseguy wanna-be is believed to have threatened to use his contacts in the Gambino family to hurt Donaghy if the ref — already known as a heavy gambler — did not share inside information and help fix games, sources said.

That gangster also claimed he would expose Donaghy's serious debts if he did not cooperate with the bookies, who allegedly won thousands of dollars with the referees' help, sources said.

mjaccarino@nydailynews.com

MIKE LUPICA

Sports' worst nightmare?

SEE SPORTS, PAGE 50

# Stunned players say NBA will bounce back

BY JONATHAN LEMIRE  
DAILY NEWS STAFF WRITER

THE NBA'S BIGGEST stars reacted with surprise and disappointment at the stunning allegations that referee Tim Donaghy has bet on and even fixed games.

The federal probe into Donaghy and the mobbed-up bookies he allegedly teamed up with was the primary topic of discussion at the USA Basketball minicamp in Las Vegas — an ironic practice location for a league that now is rocked by a gambling scandal.

"It's a hard pill to swallow," L.A. Lakers star Kobe Bryant said Friday. "But it's just the reality of the matter. As basketball players, all we can do is go out and play hard and leave it all on the floor."

Other players said now they cannot help but question some potentially dubious calls made in the games officiated by Donaghy over the past two seasons.

"It's shocking," said Denver Nuggets forward Carmelo Anthony. "It puts thoughts in your head. You start thinking about things that you probably didn't think about before."

But Anthony and others put their faith in the NBA to properly investigate the growing scandal and maintain the integrity of the league.

"I'm pretty sure they're going to get to the bottom of it," Anthony said.

Before the gambling probe was revealed, Donaghy was best-known as one of the referees in the 2004 game in Detroit that ended with Indiana Pacers players fighting Pistons fans — perhaps the most disgraceful game in NBA history.

The USA Basketball players, including Cleveland Cavaliers superstar LeBron

James and the Nets' Jason Kidd, were briefed about the Donaghy probe before they started their minicamp in Sin City.

The team is preparing for next month's World Championships in Japan.

Many of the players said the scandal would not affect the upcoming NBA season.

"You can't really control [the investigation]," Orlando Magic forward Dwight Howard told ESPN.com. "So if we do our job as a team, we won't have to worry about point shaving and stuff like that."

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# Sports' worst nightmare

If the charges against NBA ref Tim Donaghy are real and true and can be proved in a court of law, if he did not just bet games he was officiating but manipulated the final score as well, then Donaghy shows you just how fragile it all is in sports. He shows you how little stands between what is real and what isn't.

Remember Jack Nicholson's big, brilliant speech near the end of "A Few Good Men"? Nicholson, the crazy Marine, is yelling at Tom Cruise from the witness stand and finally says, "You want me on that wall. You need me on that wall."

Guys like Donaghy are on the wall, whether we like it or not. The commissioners are there, too, and the unions, and the players.

But Donaghy is right there with them.

If it is true, and at this point you have to qualify it that way as much as you do with Michael Vick before officially classifying Vick as a legendary mutt, you see that all it takes to attack the integrity of our games, integrity that separates them from wrestling or "reality" TV competitions, is one guy. Like one traitorous spy trying to compromise the CIA.

I talked to more than one NBA coach when the story broke the other day and asked them how a ref could do it, if a ref wanted to do it, and one current coach said to me, without much hesitation, as if the thought had been in his head, "Easy: One star player in foul trouble early."

People worried about the NBA being in Las Vegas for the All-Star game, as though somehow being close to all that gambling could put the sport in harm's way. You don't have to go to Vegas. You just have to take a call from a bookie or a bad guy on the telephone.

You put Vegas up against what we are starting to hear about Donaghy and Vegas looks like

church.

It is so easy to make fun of notions like the integrity of our games, as they relate to gambling or even steroids. As if that integrity is some sort of quaint, hoary notion. And in the end, it is all we have. Now if these charges against an NBA ref can be proved by the law, we see that it only takes one guy to tilt the playing field one way or another, to put the idea in front of the fans that what they are seeing is not on the level.

Not a level playing field.

You strip away all the money and all the attention and the attendance records and the amount of time we spend in this country watching sports and thinking about sports and talking about sports—and betting on sports—and at the end, no matter how big it gets, there can be a little guy like Tim Donaghy, veteran NBA ref, working 68 games in the regular season and then playoff games, on the wall.

And Donaghy, if guilty, is more than that. He is David Stern's nightmare the way he is Roger Goodell's nightmare, the way it would be Bud Selig's nightmare, if it turned out to be umpires, and imagine the hysteria if this WERE baseball, the way every crisis, starting with illegal drugs, is supposed to be worse in baseball.

There is a quote I have used before, from Steve Bornstein, now running the NFL network, formerly the head of ESPN. And he was asked one time to

explain the explosion of ESPN, and sports, over the last 20 years.

"You can't go to Blockbuster and rent tonight's game," Bornstein said.

Sports is supposed to be real. Has to be real. And most of the time, as far as we know, it is real.

As far as we know.

Julio Lugo, Red Sox shortstop, was hitting .225 after Friday night's games, with 6 homers and 47 RBI.

Derek Jeter, who was hitting 104 points higher than Lugo, had seven home runs and 48 RBI.

I just thought you should know that.

If you want to know the facts of the season and not the romance of the chase for 300 victories, here it is:

Tom Glavine has one more victory this season than Jorge Sosa.

There have been times when winning Yankee teams didn't have a star centerfielder.

And there have been times when they haven't had a star first baseman.

But it's pretty unusual when

SHOOTING FROM THE

LIP

BY MIKE LUPICA



they've had, neither one.

By the way, it is worth repeating that the Yankees have no excuses the rest of the way.

Not a single one, and please don't talk about Giambi, only saps expect Giambi to have injury-free seasons for the rest of his Yankee career, however long that career lasts.

The Yankees have the team they were supposed to have, and have added the great season-saver, Roger Clemens.

They have the bullpen they were supposed to have, the closer they were supposed to have, they have all the position players on whom they should have been counting in place.

They have Alex Rodriguez having an all-time year, at least so far.

If they don't make the playoffs, then it is on this general manager, this manager, these players.

It is on all of them.

Guess what?

The Mets have had to overcome more adversity than the Yankees this season.

Everybody remembers what happened to the French guy the last time the British Open was at Carnoustie and until this week hardly anybody except Paul Lawrie, the eventual champ in 1999, remembers the two amazing 4-irons he hit on the last two holes of the playoff. Undeniably.

Colin Montgomerie certainly put the belly in belly putter this week, didn't he?

The winner of this week's ranch rodeo at the Innes Cattle Ranch for Kids with Cancer was Zach Cates, a 13-year-old from Lemitar, New Mexico.

Now, Zach hasn't caught up yet to Fred Whitfield, one of the best calf-ropers anywhere.

But give the kid time.

Not that you asked, but I don't believe Joe Torre has to make the playoffs to be back managing the Yankees in 2008.

The Red Sox weren't as good as they looked when they built up that big lead at the end of May, it's just that the Yankees were that bad.

J.D. Drew is so overpaid it's hard to believe the Yankees passed on him, frankly.

Mussina's been a lot of laughs lately, hasn't he?

My girl Victoria Beckham obviously didn't get the hint after her first television show finished behind a rerun of "Wife Swap" in the ratings.

Maybe that's why she came back Wednesday night for more ratings punishment.

"The Bronx is Burning" isn't ever going to be confused with "The Sopranos," but you ought to catch at least one episode just to see John Turturro's amazing performance as Billy Martin.

And the performance of Michael Rispoli as the great Jimmy Breslin isn't exactly a sharp stick in the eye, either.

I keep looking at those mittens Tiger has been wearing at the British Open and thinking:

Did Jack ever wear little mitties? Seeing A-Rod the other day with his family, signing his book for kids, well, it got me right here.

But I took a Zantac 150, anyway, just to be on the safe side.

When I found out Cheney was going to have the powers of the Presidency while Bush was knocked out for his colonoscopy, I was afraid he might want to invade Rhode Island.

In stores

Mike Lupica's novel "Summer Ball" was released on May 15 and remains on the New York Times Best Seller list. It's available in bookstores.

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## Hoops for Hope benefit

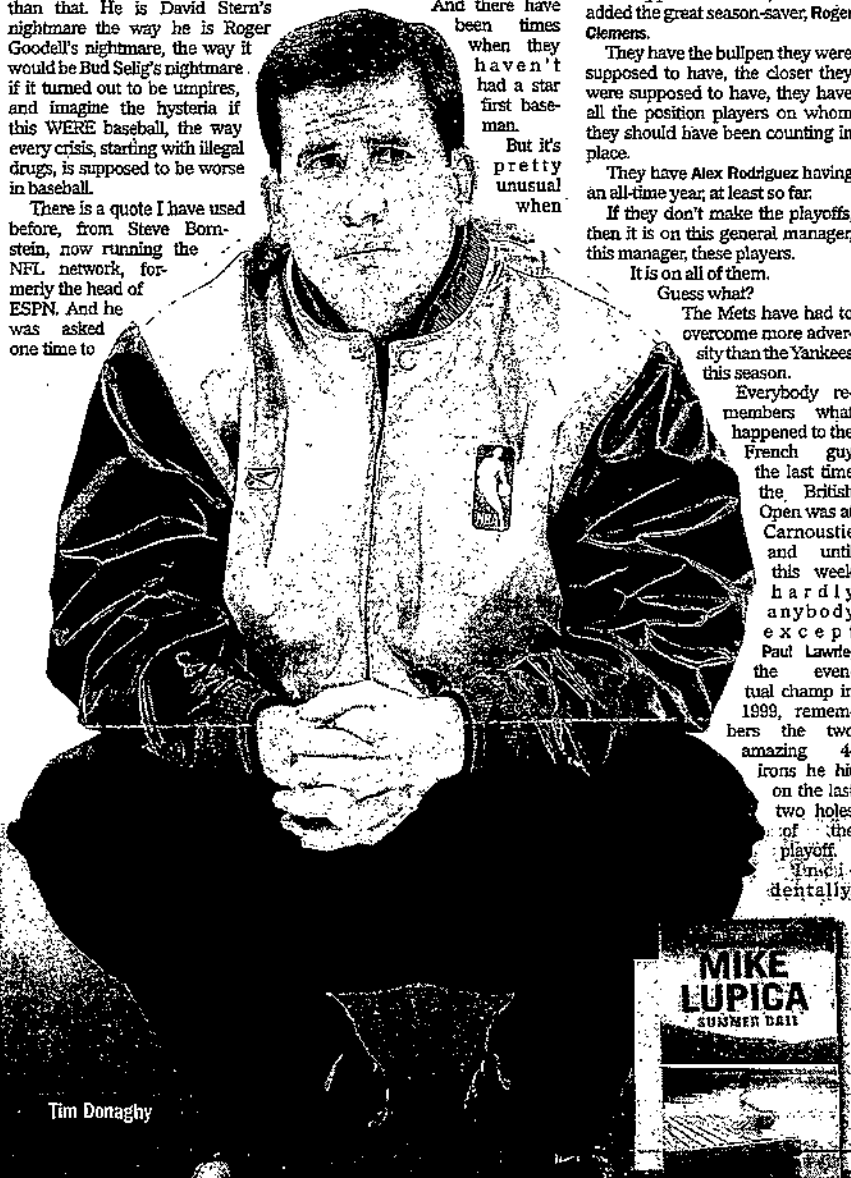
The 9th annual Hoops for Hope benefit will take place next Saturday, July 28, out on eastern Long Island.

Hoops for Hope is a fine and important organization that brings not just basketball and basketball courts to the poorest parts of Zimbabwe and South Africa, but education about AIDS and HIV and life skills as well.

They bring all that, and hope.

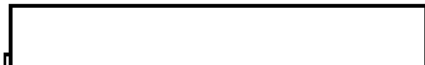
The day will begin with a free basketball clinic at the Southampton Recreation Center at 9 a.m., hosted by Larry Brown, Lawrence Frank and Rod Thorn of the Nets, and Doc Rivers of the Boston Celtics.

The phone number for information about the clinic or the benefit is 631-267-8682.



Tim Donaghy

MIKE LUPICA  
SUMMER BALL



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## 'Mob wanna-bes' leaned on referee, sources say

BY ROBERT KESSLER AND KEN

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ken.berger@newsday.com

July 22, 2007

Tim Donaghy was "coerced" into giving several gamblers and bookmakers described as "small-time mob wanna-bes" inside information on games he was both refereeing and also had bet heavily on, according to several sources familiar with an FBI investigation into possible point shaving in professional basketball.

Donaghy, 40, identified by the NBA as the official under investigation, bet on games with the gamblers who operated in New Jersey and the Philadelphia area, where Donaghy grew up and lived, the sources said.

He agreed to help them, partly to pay off losses, partly to make money for himself, partly because they threatened to expose him if he did not cooperate, and partly because they implied they had serious organized-crime connections and could have harmed him, according to the sources.

While the investigation into Donaghy stemmed from a separate probe by a Queens-based FBI squad targeting the upper echelons of what remains of the Gambino organized-crime family, the bookmakers were not members, the sources said.

Donaghy is expected to surrender to Eastern District federal prosecutors in Brooklyn, possibly as early as Tuesday or Wednesday. Several others allegedly involved in the scheme also are expected to be arrested shortly.

While federal prosecutors and the FBI are investigating the potential for systematic game-fixing in the NBA, the only target that has been identified so far is Donaghy and the "wanna-bes," according to the sources. There is no evidence, at this point, that any other basketball officials or players have been involved.

Authorities also have yet to determine whether Donaghy engaged in classic point-shaving - that is, to manipulate his calls to ensure that the outcome of games resulted in maximum payoffs to those betting.

But one source said that Donaghy wasn't an innocent bystander either, and did provide what was described as "assistance" to help himself and the gamblers try to win bets on several games he refereed. Authorities are investigating whether Donaghy made calls favorable to the teams he bet on, as well as whether he provided information on the condition of players, and advance warning of which referees were assigned to games.

Donaghy's attorney, John Lauro, declined to comment yesterday, as did FBI spokesman James Margolin and Eastern District spokesman Robert Nardoza. The NBA has declined to comment further on the matter until a news conference being arranged for this week.

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## Refs face credibility questions

But a defense came Friday.

**ANYTHING UNUSUAL** — Tony Soprano sat under the basket. No recorded interaction with officials, however.

**ANYTHING UNUSUAL** — Other than the Knicks winning? Actually, this would be Exhibit A because of the foul-shooting disparity, if not for the fact the game was taken off the board because Wade was out and no one knew how many minutes Shaq would play. It was part of a string in which three of four Heat games were taken down. Still, Donaghy's crew sent a parade of Knicks to the foul line, and even T'd up assistant coach Ron Rothstein (no relation to famous fixer Arnold Rothstein, mind you.) After the game Pat Riley said the Heat were too passive to get the foul calls.

Knicks were the ones trying to tank this game. The league should investigate their shot selection. Twice in the final 16 seconds they trailed by only three points, but they kept taking two-point shots. It was the Knicks' first game after being eliminated from the playoffs, and neither Marbury nor David Lee played.



"This particular alleged incident

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July 22, 2007

## It's Hard to Tell if Fix Is In, Betting Experts Say

By ALAN SCHWARZ

An analysis of recent N.B.A. games refereed by Tim Donaghy revealed little strong evidence of any wrongdoing, experts in sports betting said yesterday. It was revealed Friday that Donaghy is under federal investigation for possibly betting on games and associating with organized crime.

Donaghy officiated N.B.A. games for 13 seasons before resigning two weeks ago.

The United States attorney's office in Brooklyn is investigating whether Donaghy wagered on games for two years, then, starting sometime in December 2006, agreed to affect the final winning margin of games in which he was part of the standard three-man officiating crew.

Had that occurred, experts in sports gambling said, a pattern would emerge. Because the people influencing the official would presumably bet large sums of money on a particular team, bookmakers accepting such bets would react by moving the line — the margin of victory for the favored team — to offset it. In order to balance total bets on each side, a bookmaker will move the line to encourage bettors to place wagers on the other side if it sees too much money wagered on one team.

According to Bryan Leonard, a professional sports bettor and handicapper in Las Vegas for 24 years, any move of 3 points or more from the opening and closing lines in an N.B.A. game would be notable.

"That would definitely raise eyebrows in my mind," he said in a telephone interview yesterday.

Kenny White, the chief operating officer and head oddsmaker of Las Vegas Sports Consultants, which recommends the opening point spreads for all major professional and college sports events to Las Vegas casinos, said that the movement of half a point typically indicated betting on one side of about \$50,000.

Leonard said that a game in which a major line shift was followed by a favorable outcome for bettors in that direction could be evidence of wrongdoing, assuming that no complicating

DONAGHY-2086

factors like a star's injury were involved.

According to data obtained from a Las Vegas company, whose owner requested anonymity because he had been contacted by people involved with the Donaghy investigation, Donaghy refereed in 11 games after Jan. 1, 2007, in which the consensus Las Vegas line moved 2 points or more. The team on which bettors wagered heavily enough to move the line that far won 7 of those 11 games.

A 7-4 record would not be compelling to a statistician, who would consider the good possibility of that happening randomly. But Jimmy Vaccaro, the chief oddsmaker for American Wagering, which runs 60 sports books across Nevada, said that such performance would leave any gambler giddy.

"It's too early to say anything definitive about this situation," he said, "but if you win 7 out of 11, more than 60 percent, you'd be a billionaire in about a year."

Two games in which Donaghy refereed in January demonstrate what investigators might be looking for, experts said. On Jan. 15, the Philadelphia 76ers were originally favored to beat the Toronto Raptors by a point. Bets came in so heavily on the Raptors that they eventually were favored to win by a point instead. The Raptors won in a blowout, 104-86.

Two nights later, so much money was bet on the Phoenix Suns against the Houston Rockets that the consensus Las Vegas line, which opened at the Suns favored by 4 1/2 points, moved to 8 by tip-off. The Suns won by 9, 100-91.

A message left with the Nevada Gaming Control Board, requesting comment on whether it suspected or had been alerted to anything amiss with any N.B.A. games this year, was not answered.

Vaccaro, a longtime prominent figure in Nevada sports betting, said: "There was never anything brought up around here regarding any N.B.A. game. I'm guessing that the bets didn't happen here — it probably happened with local bookmakers or offshore. There would be a smell of something here and there would be talk about it."

Leonard said that a referee who wanted to facilitate a certain score differential would probably lean toward calling fouls on one team or the other; foul calls are generally subjective and usually result in point-generating free throws. Leonard said that investigators would also probably look at whether Donaghy called an inordinate number of fouls on one team's star player early in the game, forcing that player to the bench.

"But it's really hard to find a smoking gun in the numbers out there," Leonard said. "There are just so many variables involved."

Data available publicly, through box scores or more detailed reports from statistics firms, do not indicate which of the three referees made any call. But the N.B.A. league office has recorded this information for the past four years, building a proprietary database for use in evaluating and training its officials.

The league cited this data to dispute a study in May that said white N.B.A. officials and black N.B.A. officials called fouls on players of different races at notably different rates. The league refused to release the data but explained how closely referee behavior was monitored.

"We literally observe every single call that is made by our referees during every game," said Joel Litvin, the N.B.A.'s president for basketball operations, said at the time. "An observer who works for the N.B.A. sits in the arena, watches the game and watches the game again on tape, and he breaks it down as to every call and every missed call by official and who the call was made on, the player. He puts it into a database which, as you can imagine, is quite rich in terms of the ability to slice and dice the data and to train our officials."

Stu Jackson, the league's executive vice president who oversees officials, said at the time that the database was "very valuable as a tool for identifying play-calling trends of an individual official, play-calling of the officiating staff as a whole, and it's been extremely valuable in identifying trends that we can use to better develop the officiating staff in various refereeing areas."

A N.B.A. spokesman said that no league official would comment on referee matters until next week, when the league will hold a news conference.

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# NEW YORK POST

## HE'S AN 'OFFICIAL' DISAPPOINTMENT TO DAD

By JANA WINTER

July 23, 2007 -- CAPE MAY, N.J. - He grew up watching his hero - his strictly by-the-book dad - garner praise as a college referee years ago.

And, like any son, Timothy Donaghy wanted to be just like his father.

Maybe even a little bit better.

"Timmy grew up watching Daddy, and Daddy was great," an old friend told The Post yesterday, just days after Tim Donaghy was outed for allegedly fixing games he'd reffed for the NBA.

Donaghy's dad, former NCAA ref Jerry Donaghy, "was super-ethical. Everyone respected him, and everyone was also friends with him."

In one way, when it came to besting his father, "in [Tim's] eyes, he obviously won - the NBA is considered more prestigious than the NCAA," the friend said.

Yet, in another, it was clear that the younger Donaghy would never achieve the level of admiration his father earned.

And no one is sadder about that than Jerry Donaghy, friends said.

They said the dad is now dejected over his son's fall from grace.

"I know his family is heartbroken, devastated, especially his father," one pal said. "He took his [own] job very seriously."

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# NEW YORK POST

## REF'S HIT WITH SOME BAD CALLS

By JAMES FANELLI in Bradenton, Fla., and JANA WINTER in Cape May, N.J.

July 23, 2007 -- The allegedly dirty NBA referee who's set to sing in a mob point-shaving scandal sought police protection yesterday - after receiving threats that he could be whacked, cops said.

Three Manatee County Sheriff's squad cars screeched up to the Bradenton, Fla., home of terrified former NBA official Tim Donaghy to investigate menacing telephone calls against him.

"Our concern is for his safety and his family's safety," said Sheriff's Lt. Robert Mealy. "We are definitely going to share any information we get with the FBI."

The rogue ref's family is even urging him to enter the federal witness-protection program, one friend said.

"They think he will be killed if he goes to prison, or even if he doesn't, just because he's probably talking, cooperating, and that's ratting on the mob," the pal said. "I don't think [the Mafia] would take that very well."

"[Relatives] are very concerned for his safety," the friend added. "I think they knew something serious was going on, but not like this, not this big, whole life-or-death issue with the Mafia. I mean, it's the Gambinos."

Mealy declined to reveal more details of the threats against Donaghy, who is being investigated by federal authorities for allegedly working with mobsters tied to the Gambino crime family to fix the scores of NBA games to pay off his gambling debts.

The disgraced ref is said to be set to spill all - threatening to bring down anyone and everyone with him, sources said. He'll be naming names of other refs, coaches, players and game "validators," who sit unobtrusively in the stands to review calls on the court, the source said.

"There are other allegations of gambling that the FBI will run down," based on Donaghy's talk so far, one source said.

"Everybody's pointing a finger at everyone else."

Donaghy's name came to the attention of feds during wiretap probes of Gambino mobsters.

Yesterday, "he received some threatening phone calls, and he wanted them documented," Mealy said. "I know Mr. Donaghy was concerned."

Donaghy, 40, resigned from the NBA shortly after this past season amid then-undisclosed allegations that he bet on games he officiated.

Feds have not yet revealed which games they are probing.

Several friends in Cape May, N.J., where his parents summer, said Donaghy's co-workers grew suspicious of his behavior about three years ago, when he would offer to trade free tickets to certain games with some refs in exchange for others - and then suddenly renege.

DONAGHY-2091



"He just started screwing them," one friend said. "Tickets started going missing, misplaced . . . It was no longer, 'Hey, Tim's kind of an a--hole.' It became, 'Tim is f---ing with the NBA.' And that's when they stopped trusting him completely."

Retired dentist John Minutella of West Chester, Pa., where Donaghy grew up and worked at a golf course, recounted a horrific prank Donaghy pulled on him 10 years ago, when the embattled ref put a dead bird in his golf bag. Minutella found the maggot-infested carcass 24 hours later.

"Nobody wanted to play golf with him," said Minutella, 64. "I can't say one nice thing about him. I believe this guy was almost soulless."

*Additional reporting by David K. Li and Stefanie Cohen in New York and Tom Liddy in West Chester, Pa.*

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# NBA had eye on ref

## NEIGHBORS: DONAGHY CALLED GAMES DESPITE PROBE EXPOSING BET HABIT

BY MIKE JACCARINO in West Chester, Pa.,  
and JOHN MARZULLI, JIM RICH and DAVE GOLDNER in New York  
DAILY NEWS STAFF WRITERS  
Posted Monday, July 23rd 2007, 4:00 AM



Mata for News

NBA referee Tim Donaghy gazes from his Bradenton, Fla., home yesterday, days after betting and game-fixing allegations against him came to light.

The NBA sicced a private investigator on disgraced referee Tim Donaghy more than a year ago, but then let him work games all season long anyway, friends and neighbors said yesterday.

Hoops honchos had the investigator question neighbors and friends of Donaghy about what they knew about his gambling habits - especially his penchant for the Borgata in Atlantic City.

"[The private investigator] asked, 'Does he gamble?'" said Kit Anstey, 60, a real estate agent in West Chester, Pa. "I said, 'Yes.'"

Anstey told the investigator - who said she worked for a local firm hired by the NBA - that Donaghy bet on golf games, neighborhood poker games and at an Atlantic City casino.

The prober never asked Anstey whether Donaghy bet on pro basketball games.

"It was about his gambling habits," said Anstey, who once helped the ref buy a \$500,000 home. "I never thought at the time of what he's being accused of now. He had a wonderful life. Why would he throw it all away?"

The investigator who contacted Anstey 18 months ago was particularly interested in whether Donaghy gambled at the Borgata casino. Anstey said he did.

The NBA refused to comment on the probe and said Commissioner David Stern would speak publicly this week.

A spokesman for Borgata noted that there is no sports gambling in New Jersey and said the casino has no record of Donaghy gambling there.

Donaghy, a 13-year NBA veteran, is expected to surrender in Brooklyn Federal Court as early as tomorrow to face federal gambling charges, authorities said.

His lawyer, John Lauro, has refused to comment on the case since Donaghy's name surfaced last week.

Donaghy, 40, allegedly bet on sports and NBA basketball games, including some contests that he officiated, federal authorities said.

So far, investigators don't have any evidence that he threw games or even shaved points to favor teams that he bet on, two law enforcement sources said yesterday.

But they do suspect he leaked confidential information, including which refs were slated to work which games, to mobbed-up gamblers.

That seemingly innocuous bit of information could be worth thousands of dollars to a

bookie, because some refs are known to have a prickly relationship with certain players. Some zebras also have a track record of calling more fouls, which can inflate score lines. The new revelations show the NBA was far more suspicious of Donaghy earlier than was previously known.

A former neighbor of Donaghy said the private investigator contacted him more than a year ago with questions about his betting.

However, the neighbor, Pete Mansueto, told her he couldn't speak out because he was suing Donaghy over a string of disputes.

He referred her to Anstey, who had a falling out with Donaghy over other issues.

"The NBA knew about his gambling," said Mansueto. "A lot of people were talking about it."

Even though the NBA apparently knew about Donaghy's gambling ways, the league allowed him to work games throughout last season.

The league is now scrambling to contain the damage from the scandal, which has many fans questioning the results of games that Donaghy worked.

Federal investigators were planning to wait to charge Donaghy, but were forced to switch gears when his name became public. Donaghy will likely be arrested this week.

But some legal insiders questioned the strength of the case against him, unless prosecutors uncover evidence that he threw games.

"If Pete Rose didn't go to jail, he shouldn't go to jail, either," said Marvyn Kornberg, a criminal defense lawyer. "It's no different from any person who opens the paper to get the daily [betting] line." With Christina Boyle  
dgoldiner@nydailynews.com



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## Source: 'No impact' on Vegas' NBA future

BY MITCH LAWRENCE

DAILY NEWS SPORTS WRITER

Posted Monday, July 23rd 2007, 4:00 AM

**LAS VEGAS** - In the wake of the Tim Donaghy gambling scandal, the question in Sin City has become whether all bets are off for the NBA moving a franchise here. Commissioner David Stern has for the most part been opposed to putting a team in Vegas, as long as gamblers can wager on NBA games at the local casino sports books. Although the city and league have had ongoing discussions about whether they can reach an accord - and Stern's stance seemed to have softened over this past season's All-Star weekend here - the gambling issue has been a stumbling block.

According to a source close to Stern, however, the Donaghy betting scandal will "probably have no impact, whatsoever" on a team moving to Las Vegas in the future. "As the locals would tell you, gambling is so closely scrutinized here, everything is so closely monitored," the source said. "This is the best place to put a team because you wouldn't have to worry about any of that stuff."

Donaghy, a 13-year ref, is alleged to have bet on games he officiated. There also has been speculation he made calls that altered the point spread so he and organized crime associates could collect thousands of dollars in bets. In another bombshell, investigators told the Daily News on Saturday that they are hopeful that Donaghy will implicate other refs and players, which would undoubtedly take the scandal to new levels.

Donaghy's wagering allegedly took place with illegal bookies outside of Vegas, but the NBA has had cause for concern with legalized gambling over the years, as well. Charlotte Bobcats executive Michael Jordan's casino gambling swings were legendary when he was winning championships with the Bulls in the 1990s. Charles Barkley, TNT's lead studio analyst and a former All-Star for the 76ers, Suns and Rockets, has admitted to losing \$10 million while wagering in casinos. Neither Jordan nor Barkley has ever been linked to betting on NBA games, but their excessive wagering would seem to serve as a warning to the league that its players are not immune to the dangers of compulsive gambling that allegedly landed Donaghy in trouble.

Donaghy allegedly piled up losses with mob-related bookies, which led to those bookies pressuring the referee for inside information and to make calls that would favorably affect the outcome of games.

Vegas' suitability as a potential NBA town is expected to come up when Stern finally holds his press conference to address the biggest scandal to ever hit the league.

In a stunning coincidence, the NBA has been here, the site of its crime-riddled All-Star weekend, for the last three days. LeBron James, Kobe Bryant, Jason Kidd and a legion of other superstars came here to play for Team USA to start preparing for the FIBA Americas Championships scheduled for late August and early September.

In the wake of the wildest All-Star weekend in the league's 60-year history, Stern reportedly took numerous calls from friends and business associates questioning whether the league should move a team to Vegas.

"After seeing what happened there, with the 'gangsta' element the weekend attracted, (Stern is) wondering what happens if he puts a team there and what kind of crowd it would attract," an ownership source said at the time.

During that weekend, around 400 arrests were made, and the festivities were marred by the triple shooting that left nightclub manager and Long Island product Tommy Urbanski paralyzed and led to cornerback Pacman Jones' being suspended by the NFL.

"Even though Las Vegas isn't involved in this (Donaghy) scandal, it can't help matters in terms of us putting a team there," said one league official, who couldn't ignore the irony of the timing of the league's presence in Vegas this weekend. "Of course, look where we are, just as this (Donaghy) scandal hit."

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# Ref had 'best year'

## PLAYOFFS A PAYOFF FOR DONAGHY BEFORE SCANDAL

BY FRANK ISOLA

DAILY NEWS SPORTS WRITER

Posted Monday, July 23rd 2007, 4:00 AM



Murphy/Getty

NBA honchos thought enough of Tim Donaghy's work to reward now-disgraced ref with playoff job.

Tim Donaghy, the NBA referee at the center of an FBI gambling investigation, received an above-average evaluation from his superiors for the past season, according to a person close to the embattled ref.

"The league was extremely pleased with his progress," the source said. "They thought it was his best year."

Donaghy, 40, allegedly bet on NBA games, including some that he officiated during the past two seasons. He resigned less than two weeks ago.

Despite claims from friends and neighbors yesterday that Donaghy had been the target of a private investigator hired by the NBA to look into his gambling habits, the league continued to increase his workload.

"The playoffs are a reward," said a retired NBA referee, who asked not to be identified.

"(Donaghy) made it to the second round (of the playoffs). From everything I heard, he was on track to referee third-round games next season."

The same referee said that the NBA goes to great lengths to monitor and evaluate its officiating crews and that if the league knew of any improprieties involving Donaghy, it would have acted swiftly to remove him.

After Donaghy worked a Spurs-Suns playoff game, he received a phone call from the league to inform him that his season was over, while expressing satisfaction with this work.

"Tim made it to the second round, so what does that tell you?" the former referee said.

"The league records every call an official makes. There is an observer at every game.

And then you have coaches and executives from teams calling all the time saying, 'Did



you see this, or did you see that.' A lot of guys think it is too much, but Stu (Jackson, the NBA's vice president of basketball operations) and Ronnie (Nunn, the NBA's supervisor of officials) want to make sure there is accountability."

In a league where the best players are believed to receive a favorable whistle more often than not, NBA referees are regarded as the most scrutinized officials of all the major pro sports. With players getting bigger, stronger and faster, the game becomes harder to manage each season. The block/charge foul remains one of the most difficult calls to make. After games, referees will review calls that they feel were questionable even before getting a phone call from the league office.

While NBA refs may feel they are being micromanaged, they also are some of the most recognized officials in any sport. In some cases, they are more recognizable than some of the players.

Bob Delaney is a former New Jersey state trooper who once infiltrated the mob underworld. Dick Bavetta, the longtime official from Brooklyn, competed against Charles Barkley in a charity race during All-Star weekend in Las Vegas. Bennett Salvatore owns a well-known restaurant in Stamford, Conn., while Nunn makes regular appearances on NBA TV.

Joey Crawford, the son of former major league umpire Shag Crawford, plays up his image as a curmudgeon to the point where he ejected a heckler from a Nets game last season. In April, he was suspended by the league for ejecting the Spurs' Tim Duncan during a nationally televised game against Dallas.

After 13 years, Donaghy was starting to earn a reputation as a no-nonsense official, who last season called the most technical fouls in the league. In Donaghy's first Knicks game last season, he called two technicals on Chicago head coach Scott Skiles, resulting in an automatic ejection.

In Donaghy's other game in New York, he was part of an officiating crew that awarded the Knicks 39 free throws compared to eight for the Miami Heat. Five of the Knicks' free throws came courtesy of technical fouls called against Pat Riley and assistant coach Ron Rothstein as well as from three defensive three-second violations.

That Donaghy would lead the league in technical fouls is not at all surprising to people who know the ref and have described him as both "hot-tempered" and "always angry."

"He seemed mad all the time," said one Eastern Conference head coach.

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## Point spread changed 20 percent in NBA ref's games

BY KEN BERGER

ken.berger@newsday.com

July 23, 2007

Of the 139 games officiated by Tim Donaghy during the past two NBA seasons, the opening point spread moved at least two points in 28 of them, or 20 percent, according to a source within the Nevada sports betting industry.

The trend, along with dramatic free-throw differentials in several of Donaghy's games, could provide important evidence to the NBA and federal authorities investigating whether the referee bet on games he officiated or furnished information to bettors as part of a possible point-shaving or game-fixing scandal.

Bookmakers pay close attention to the movement in betting lines because they often indicate that more money is being wagered on the team in whose favor the line moves. Two-point movements in NBA lines are common and can result from legitimate strategic factors such as the absence of a key player because of injury.

It is difficult to pinpoint any possible discrepancies in Donaghy's officiating without data kept only by the NBA on how many fouls he personally called - and, just as important, the players he called them against.

But games officiated by Donaghy, particularly those in which point-spread movements occurred, are under intense scrutiny as part of an FBI investigation of possible point-shaving headed by Eastern District federal prosecutors in Brooklyn. Law enforcement sources have told Newsday that Donaghy, 40, is expected to surrender to authorities as early as tomorrow or Wednesday.

The Knicks were involved in at least two of the games that raised a red flag for the gambling source, who spoke on the condition of anonymity because of the sensitivity of the investigation.

When the Knicks hosted Miami on Feb. 26 this year, the opening line favored the Knicks by 3 and moved to 4.5. The Knicks shot 31 more free throws than Miami (39-8) and won 99-93.

DONAGHY-2102

On Jan. 2, 2006, Donaghy officiated the Phoenix-Knicks game at the Garden; the opening line favored the Suns by 6.5 and closed at 6. The Knicks enjoyed a 54-16 free-throw advantage - the largest of any game Donaghy officiated in the past two seasons - and won, 140-133, in triple overtime.

Those were among 16 games Donaghy officiated in 2005-06 and 2006-07 in which the home team shot at least 14 more free throws than the visitors, the source said. In five of those games, the home team shot at least 20 more free throws. Donaghy also officiated two games in which the visiting team enjoyed a free-throw advantage of at least 20.

When Memphis played at Utah on Nov. 19, 2005, the Grizzlies initially were favored by 5. The line increased to 7, and Memphis shot 19 more free throws (30-11) than the Jazz in an 80-72 victory.

On Dec. 18, 2006, Washington opened as a 2 1/2-point favorite at Denver. The line increased to 3.5 points, largely because of suspensions for Carmelo Anthony and Nene. The undermanned Nuggets shot 44 free throws compared to Washington's 18 and won easily, 117-108.

Of the eight playoff games Donaghy officiated in the past two seasons, two raised red flags for the Nevada betting source.

On April 28, 2006, the line favoring the host Lakers over the Suns moved a half-point in L.A.'s favor. The Lakers won and covered, 99-92, enjoying a 23-17 free-throw advantage with 22 fouls called on Phoenix and 14 on the Lakers. Four of the Suns' five starters finished with at least four fouls.

On April 29, 2007, the result was flipped. The Suns opened as a 4 1/2-point favorite, the line increased to 6 and Phoenix won by 13 - 113-100 - with a 31-17 free-throw advantage.

But several games in the Donaghy file don't fit the profile of a fixer, the source said, highlighting how difficult it will be for the NBA and federal authorities to build their case against him.

For example, the 76ers were favored to beat the Raptors by one point at home on Jan. 15, 2007, but heavy betting on Toronto resulted in the closing line favoring the Raptors by 1. Toronto won in a blowout, 104-86, and 21 fouls were called on each team.

Two nights later, heavy wagering on Phoenix for its game at Houston increased the point spread favoring the Suns from 4 1/2 to 8. The Suns won, 100-91, but each team shot only 12 free throws. Houston stars Yao Ming and Tracy McGrady missed the game with injuries, accounting for much of the

betting line movement.

Another anomaly: In Game 6 of the 2007 first-round series between the Nets and Raptors, the line opened at 3 points favoring the Nets at home and closed at 5. That result would've been under scrutiny, but only by any fixers who might've been involved. The Nets failed to cover in a 98-97 series-clinching victory and had only a slight free-throw advantage (29-25).

"If [Donaghy] was involved there, he's in trouble," the Nevada source said. "And not with the NBA."

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## Paper: Cops Go to Accused NBA Ref's Home

By The Associated Press

July 23, 2007, 6:44 AM EDT

NBA referee Tim Donaghy, who's being investigated by the FBI for betting on games he worked, had local lawmen at his Florida home Sunday because of threatening phone calls he's received, according to The New York Post.

Three squad cars from the Manatee County Sheriff's Office arrived at Donaghy's home in Bradenton, Fla.

"Our concern is for his safety and his family's safety," Sheriff's Lt. Robert McNealy told the newspaper for a story in Monday's editions. "We are definitely going to share any information we get with the FBI."

Authorities are examining whether the referee made calls to affect the point spread in games on which he or associates had wagered thousands of dollars over the past two seasons. Authorities say the referee had a gambling problem and was approached by low-level mob associates through an acquaintance.

The Daily News reported Sunday, citing unidentified law enforcement sources, that Donaghy will cooperate with authorities and possibly name other officials and players involved in the betting scandal.

On Monday, the newspaper reported that former neighbors of Donaghy's in Pennsylvania say they were approached more than a year ago by a private investigator they believed was hired by the NBA to check into Donaghy's gambling habits.

Kit Antsey, a real estate agent in West Chester, Pa., who helped Donaghy buy a home, told The Daily News a private investigator contacted him 18 months ago and asked him whether Donaghy bet on sports and at an Atlantic City casino.

However, The New York Times reported Monday, citing two unidentified people briefed on the investigation, that the NBA didn't know about Donaghy's betting or whether he affected the outcome of games until after the season.

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The Times and The Daily News also reported NBA commissioner David Stern plans to speak publicly about Donaghy this week, maybe as soon as Monday.

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Chicago Sun Times

July 23, 2007 Monday  
Final Edition

**SECTION:** SPORTS; The First Word; Pg. 103**LENGTH:** 1055 words**HEADLINE:** An ethical and moral disaster; It's a worst-case scenario for the NBA, the league that could least afford to have the integrity of its officiating come into question**BYLINE:** Jay Mariotti, The Chicago Sun-Times**BODY:**

Every time a whistle blows now, people will think the worst. Does the referee have money on the game? Is he paying off **mob** debts? Who is that zebra on the grassy knoll as the score teeters on the point spread? As it is, the public is quite suspicious of NBA officiating, to the extreme that commissioner David Stern once threatened legal action against active conspiracy theorists.

Sadly, horrifically, our suspicions have become a dark reality today.

The ugliest word in sports --

F-I-X -- is in the house.

The league's ethical and moral foundation, already shaken by arena violence and off-court criminal issues, has been rocked by allegations that 13-year official Tim Donaghy bet on NBA games the last two seasons. If it's true Donaghy fixed the point spreads of games he officiated while under pressure from organized **crime** -- a practice that allegedly began last December -- Stern will face an integrity crisis that may take years to overcome. Leagues can survive almost any scandal these days, from steroids to Pete Rose to dogfighting, but the scab that never heals is when a fan no longer trusts the official who controls a game. The manipulation of outcomes by a ref poisons the very core of why people invest their money, time and energy into sports.

For their family-of-four, \$350 investment, consumers should expect an honest product above reproach. Without that trust from league-employed officials, pro basketball might as well be pro wrestling. The embattled Stern, who is fighting a losing battle in trying to protect the image of his troubled enterprise, can't deny the blood that gushes from his biggest public-relations mess yet.

"We would like to assure our fans that no amount of effort, time or personnel is being spared to assist in this investigation, to bring to justice an individual who has betrayed the most sacred trust in professional sports, and to take the necessary steps to protect against this ever happening again," Stern said.

**Suspicions abound**

Mere words won't repair the disconnect. Unlike other leagues, the NBA has been plagued by a constant perception problem about officiating-crew *funny business*. Ever since Phil Jackson suggested the league and TV were favoring the hometown New York Knicks over the Bulls during those epic '90s playoff series, theorists have wondered about the power of officials and whether they can be trusted. In no other sport do fans worry so deeply that (fill in the blank) has it in for their team or likes their team. In no other sport is there a strong sense that a hometown team will get hometown calls. In no other sport do superstars tacitly receive preferential treatment. The paranoia is only

DONAGHY-2109

fed when Stern, rightfully obsessive about preserving officiating credibility, had to suspend veteran ref Joey Crawford after he ejected Tim Duncan for laughing on the bench. Or when officials were nabbed in an income-tax snare over airline-ticket fraud. Or when Dallas Mavericks owner Mark Cuban, the prospective Cubs owner, complains incessantly to Stern and the media about officiating.

"If people only knew what goes on," Cuban once wrote me in an e-mail.

While all of these episodes were mysterious through the years, there never was any hard evidence that could confirm hanky-panky. Until now.

It would be frighteningly easy to control an NBA point spread, even as refs work in three-man crews. All it takes is two or three hokey calls to spark a rally that turns a 12-point spread into a five-point spread, or vice versa. Consider the 131 regular-season and 20 postseason games worked by Donaghy the last two seasons, according to the Elias Sports Bureau. How many were infected by his alleged gambling-fueled bias? How about a February Knicks-Heat game in New York, where the Knicks owned a 39-8 free-throw differential, benefited from technical fouls against Heat coaches and covered a 40e-point spread with a six-point win? Or a November Bulls-Knicks game in New York, when the home team was down by 22 points at intermission but shot 16 free throws in the first 50e minutes of the third quarter?

And to think Stern once wanted to file lawsuits. Heck, fans could organize a massive class-action suit and demand refunds for being cheated. How about NBA teams burned by Donaghy? He worked important games this past postseason -- Mavericks-Warriors, Spurs-Suns -- and don't you think tapes are being popped in TV monitors across the league by seething coaches and players? What would stop franchises from taking legal action?

Just the beginning?

The question is whether this is an isolated, one-referee aberration, as Stern implies, or the tip of a filthy iceberg. The Donaghy story has the league down for the count. If there are other stories like it -- a law enforcement official told the Associated Press that other arrests are expected -- heaven help the NBA. That's how crippling the fix can be. Stuck at an integrity crossroads, we're about to see if Stern and his eventual successor, deputy commissioner Adam Silver, have the savvy to convince paying customers -- and the league's players and coaches -- that credibility can be restored.

"It's a hard pill to swallow," Kobe Bryant said. "It's a very serious issue."

"As a competitor, as hard as I play, it is disappointing, definitely," said LeBron James, who won't be joking about this when he hosts "Saturday Night Live."

It didn't take long, naturally, for Cuban to react on his blog. "As bad as the allegations facing the NBA are, it's also an opportunity to face every allegation that has ever been directed towards the NBA and its officials and preempt them from ever occurring in the future," he wrote. "Calamity can be a catalyst for significant change. The NBA took a hit. Behind that hit is a catalyst and opportunity for significant change that could make the NBA stronger than it ever has been. I have complete confidence that David Stern and Adam Silver will do just that and the NBA and our officiating will be all the stronger for it."

Does Stern have the guts to face "every allegation" aimed at his league and its officiating? Unfair as that may sound, he'd better be prepared to do just that and explain how the mechanism has worked. When a ref drifts into mob territory and is investigated by the FBI, it's no longer the work of a conspiracy theorist.

It's sleazy, crooked reality.

**GRAPHIC:**

Photo: David Sherman Getty Images; The gambling scandal involving referee Tim Donaghy could be serious enough to bring down the NBA. ;

**LOAD-DATE:** July 23, 2007

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am New York

## **Plea in organized crime might link to NBA referee**

BY KEN BERGER AND ROBERT KESSLER

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robert.kessler@newsday.com

July 23, 2007, 10:32 PM EDT

As Tim Donaghy continued to cooperate with a federal probe of possible point-shaving in the NBA, a court document obtained Monday signaled that an organized crime-related guilty plea could be coming out of the same prosecutor's office that is investigating the former referee.

Assistant U.S. attorney Thomas J. Seigel did not return calls seeking comment on whether the warrant, filed Friday in U.S. District Court in Brooklyn, is related to the NBA investigation. But Seigel, the office's top organized-crime prosecutor and the man who is believed to be heading the Donaghy probe, filed the waiver of grand jury indictment against an unnamed defendant in a possibly unrelated move that nonetheless could signal the culmination of a major mob-related felony case.

A federal investigation led by the same Eastern District prosecutor's office in conjunction with the FBI focuses on whether Donaghy, 40, bet on NBA games he officiated during the past two seasons and provided assistance to basketball bettors. Donaghy had been expected to surrender to authorities Tuesday or Wednesday but now is expected to surrender by the end of this week or early next week, law enforcement sources told Newsday, citing routine reasons for the delay.

Two South Jersey bookmakers described as "small-time mob wannabes" not affiliated with the NBA also are expected to be arrested.

The scandal that has shaken pro basketball turned bizarre Monday with word that sheriff's deputies had staked out Donaghy's home in Bradenton, Fla., after the former ref received threatening phone calls. Donaghy has been cooperating with authorities in hopes of receiving a lighter sentence, law enforcement sources said.

Donaghy, a 13-year NBA veteran who recently resigned, has not been charged or indicted but was identified by NBA commissioner David Stern as having "betrayed the most sacred trust in professional sports." The sources

DONAGHY-2112

said Donaghy currently is the only member of the NBA under investigation.

Law enforcement sources said Monday that the NBA had no recent knowledge of Donaghy's alleged gambling activities or the federal probe. An additional source with knowledge of the investigation said the league did not know Donaghy was under federal investigation until after the NBA Finals, which concluded June 14.

But published reports that the league previously inquired about Donaghy's possible involvement in other gambling activities increased already excruciating pressure on Stern to come forward with details about the league's handling of the scandal. Stern will hold a news conference this morning, presumably to address the issue.

As details continued to emerge Monday about Donaghy's troubling background, including a civil harassment lawsuit and at least one criminal harassment charge in his past, Newsday obtained more data similar to what league officials are poring over for possible discrepancies in his officiating.

Though sources said the investigation is focused more on information being obtained from Donaghy and other techniques such as wiretaps, some statistical anomalies in games Donaghy officiated appear glaring.

In the past two seasons, 21 of the 139 games Donaghy officiated resulted in one team shooting at least 14 more free throws than the opponent. He officiated 17 games in which at least 72 free throws were attempted, including eight in which the two teams attempted at least 80 free throws.

According to the Elias Sports Bureau, the average number of free throws attempted in an NBA game last season was 52.2.

*Staff writer Anthony M. DeStefano contributed to this story.*

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**DAILY NEWS**

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## Rogue ref to plead guilty in bet scandal

BY TAMER EL-GHOBASHY in Bradenton, Fla.  
and JOHN MARZULLI and DAVE GOLDINER in New York  
DAILY NEWS STAFF WRITERS

Tuesday, July 24th 2007, 4:00 AM

Disgraced NBA referee Tim Donaghy is expected to surrender as early as Thursday and plead guilty to federal gambling charges, sources said yesterday.

The referee is named as a "John Doe" in papers filed in Brooklyn Federal Court, a legal step that suggests Donaghy plans to admit to the charges and help in the probe, sources close to the case said.

Donaghy's case will be prosecuted by Thomas Seigel, chief of the Brooklyn U.S. attorney's office organized-crime division - a sign of how seriously prosecutors are treating the case.

A grand jury is also expected to indict at least two mobbed-up gamblers in the scheme.

Donaghy, 40, is suspected of betting on NBA games and giving gamblers inside information, including which refs were slated to work certain games.

Investigators are still trying to find evidence he threw games or favored teams.

NBA Commissioner David Stern is expected to hold a news conference on the scandal today.

At Donaghy's home in Bradenton, Fla., a string of friends carted in cases of soda and supplies, but a pal who came to the front door insisted Donaghy had left.

"He's not here," the friend said.

Donaghy called cops a day earlier to complain about threatening phone calls, prompting police to boost patrols.

"You're done," one caller said, the Manatee County Sheriff's Office reported. "You're dead."

In Donaghy's former hometown of West Chester, Pa., many people remembered him as pugnacious and litigious.

"He was the kind of guy you wouldn't wish on your worst enemy," said developer Robert Zoba, 42, who sold the ref a home lot. "He was one of a kind, a bad egg, a nightmare."

Zoba said Donaghy peppered him with legal threats: "He was searching for conflict."

[tel-ghobashy@nydailynews.com](mailto:tel-ghobashy@nydailynews.com)

With Mike Jaccarino in West Chester, Pa.

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Newsday (New York)

**July 24, 2007 Tuesday**  
NASSAU AND SUFFOLK EDITION

**SECTION:** SPORTS; Pg. A50

**LENGTH:** 599 words

**HEADLINE:** Organized **crime** guilty plea might have links to referee Donaghy's case

**BYLINE:** BY KEN BERGER AND ROBERT KESSLER. [ken.berger@newsday.com](mailto:ken.berger@newsday.com) [robert.kessler@newsday.com](mailto:robert.kessler@newsday.com); Staff writer Anthony M. DeStefano contributed to this story.

**BODY:**

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Staff writer Anthony M. DeStefano contributed to this story.

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## **He can't whitewash this issue Stern will have a tough time cleaning up foul smell**

Wallace Matthews

July 24, 2007

For the past few years, it is no secret that David Stern had feared his league was getting too black. Afraid of driving his mostly white, mostly affluent fan base out of the arena, he tried imposing discipline on what a lot of people perceived to be a lawless, dangerous league.

His way of doing this was instituting a dress code on NBA players roughly akin to what IBM now allows employees to wear on so-called Casual Fridays.

Although it was never explicitly stated, this was Stern's way of softening the image of the NBA, making it seem friendlier - or at least less forbidding - to the genteel people he had lured into the high-priced seats. Whitening it up, some would say.

This might not solve all the league's problems - after all, there was the product on the floor, which basically stunk - but at least he would not have customers running for cover from the sight of Ben Wallace in a do-rag.

Clearly, he was trying to shed the labels many had placed on the NBA, that it was a hip-hop league and that many of his players were thugs. He figured if he could dress it up, he could continue to sell it.

It seems kind of laughable now that, at around the same time Stern and his braintrust decided Business Casual was the real Answer, investigators hired by the league were poking around the seamy side of an NBA referee's life, trying to determine how deeply his degeneracy ran.

If published reports are accurate - that the NBA knew about Tim Donaghy's gambling problem as much as 18 months ago and not only allowed him to continue working but assigned him to its showcase event, the playoffs - it only goes to bolster arguments that at best, Stern is out of touch with what really ails his league.

Because now, even if Donaghy eventually is cleared of the allegations hanging over his head, it is the NBA that forever will be considered guilty.

DONAGHY-2120

Already, many of us had suspected NBA games were fixed in one way or another. Many of us had assumed that while the rest of the league was allowed two steps on a layup, stars such as LeBron James and Kobe Bryant routinely got four, that foul calls were doled out in accordance with jersey sales - the more popular the player, the fewer whistles - and that the league would do its darndest to try to rig playoff matchups to bolster ever-dwindling TV ratings.

There have even been columnists in this town advocating some bizarre form of salary-cap amnesty for the hopeless Knicks, on the theory that the NBA would benefit from having a powerhouse, not a punch line, representing its most lucrative market.

All those things were taken for granted as part and parcel of the way the business of sports is run nowadays, more as entertainment than competition. We may never have found it palatable, but like most of the distasteful things forced on us these days, we learned to swallow it.

But this one is not going to go down easy. When it turns out that the referees, the beat cops in Stern's mini-society, are the ones who need to be watched closest of all, the trust is broken and the jig is up.

Now every remotely questionable call by an NBA ref will be scrutinized, analyzed and suspected. Any whistle in the final seconds of a close game will send viewers scurrying to check the point spreads. Any unusual differential in free throws - and, perhaps coincidentally, Donaghy seems to have worked a few games that featured those - will be considered prima facie evidence that another ref must be into the loan sharks.

For this, Stern has no one to blame but himself. Officials are the weak link of every pro sport, the last opening through which organized crime can insinuate itself into the proceedings. Players make too much to be bought anymore, but NBA and NHL referees, major-league baseball umpires and, the most vulnerable of all, NFL officials, who are part-time workers, are ripe for the picking.

Instead of concerning himself with whether Allen Iverson's cornrows were frightening the bankers in celebrity row or if Rasheed Wallace was scaring guests in the hotel lobby, Stern should have been checking deeper into what his officials were doing and where they were doing it.

Even before Donaghy was found to have a gambling jones, it was known he had a hot temper. His erratic behavior in a number of neighborhood disputes should have been a red flag to the league long before the word "bling" was ever coined.

But Donaghy, like most NBA referees, didn't fit the profile commonly associated with hip-hop, with gangsta, with thug. To the suits running the league, he didn't look like someone you needed to worry about. Now he could turn out to be the NBA's ultimate thug, the babyface who brings the outlaw league to its knees.

Stern was worried about the likes of Ron Artest emptying his arenas. But nothing will empty an NBA arena quicker than fans leaving with this question on their minds: Who really won that game? Was it Tim Duncan or Tim Donaghy?

Let Stern try dressing that up.

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# NEW YORK POST

## 'KILLERS' TEAM UP ON REF

By JAMES FANELLI in Bradenton, Fla., & STEFANIE COHEN in N.Y.

July 24, 2007 — Two menacing phone callers told the embattled NBA "fix" referee he's a "dead man" and "done," as he appeared ready to sing for federal probers, authorities said yesterday.

Disgraced former hoops official Tim Donaghy, 40, has promised to spill his guts to investigators after he surrenders to feds as early as today, law-enforcement sources said.

Donaghy - identified as a "John Doe" in court papers filed in Brooklyn Federal Court - is also expected to plead guilty to federal gambling charges, sources said.

The feds plan to pinch two of Donaghy's gambling pals - identified as New Jersey-based bookies - this week before all three go before a federal judge in Brooklyn, the sources said.

A man who answered the door at Donaghy's home in Bradenton, Fla., said the ex-ref declined comment.

Donaghy received a pair of calls, 1 hour and 40 minutes apart, at home Sunday, promising his demise, cops said.

The first call came at 12:20 p.m., when an unidentified man told Donaghy, "You're fired - and a dead man!" said Manatee County Sheriff's spokesman Randy Warren.

Donaghy immediately notified cops about that call. But before deputies could respond, another alarming call came through, telling Donaghy, "You're done. You're dead!" Warren added.

For now, local cops said they're more interested in protecting Donaghy than in finding out who made the threats.

"Obviously we take all threats seriously," Warren said.

On Friday, The Post exclusively revealed the jaw-dropping news that Donaghy is being probed by feds for allegedly betting on games he officiated and dealing with known mobsters. The ref's name first surfaced in wiretaps of Gambino crime bosses, sources said.

He resigned from the NBA shortly after this past season as investigators probed him.

NBA Commissioner David Stern is holding a news conference this morning to address the allegations. The feds have not yet revealed which games are under FBI scrutiny.

Donaghy's games this past season tended to be high-scoring, with lots of foul calls. Teams scored a combined average of 201.2 points per game when Donaghy's three-man crew officiated games in 2006-07, according to the gambling Web site covers.com. The point average ranked Donaghy fourth highest among the 60 refs who called at least three NBA games last season.

Point and foul totals go hand-in-hand, because more whistles lead to more free throws, and thus higher-scoring games.

DONAGHY-2124

Hoop gamblers most frequently bet on the point spread - the margin by which a team wins or loses - and "over/under" propositions on total points scored by both teams.

An over/under bet could be more easily manipulated without drawing attention. A ref could conceivably go whistle-happy on both teams and drive up point totals without showing favoritism toward either squad.

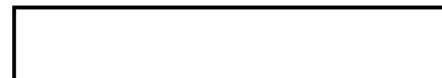
*Additional reporting by David K. Li in New York and Jana Winter in Cape May, N.J.*

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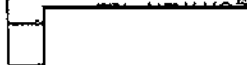


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July 24, 2007

## Referees' Limits on Wagering Are Spelled Out

By ALAN SCHWARZ

An eight-page pamphlet distributed by the National Basketball Association to its referees before last season delineates a wide range of prohibitions against various forms of gambling, including rules that led the league to investigate the referee Tim Donaghy two years ago.

Donaghy, who refereed for 13 years in the N.B.A. before resigning two weeks ago, is under federal investigation for betting on league games and associating with organized crime figures. A person involved in the case said yesterday that Donaghy planned to surrender to authorities late this week or early next week.

David Stern, the N.B.A. commissioner, said he would hold a news conference today at a Manhattan hotel.

According to the pamphlet given to all referees, titled "Bad Bets: Understanding the N.B.A.'s Anti-Gambling Rules," all players and league personnel are barred from gambling on any league game, including those in which they do not participate. Rules for referees go considerably further. They are prohibited from "participating in any gambling or placing bets of any kind."

Officials are barred from visiting or attending "any racetrack, off-track betting establishment, casino or gambling establishment of any kind." Violating the rules subjects the referee "to discipline by the N.B.A., including termination of his or her employment."

The N.B.A. contracted an outside firm to look into accusations from 2005 that Donaghy was seen gambling in the Borgata, a casino in Atlantic City, according to a person with knowledge of the league's investigative process who spoke on condition of anonymity because of the continuing F.B.I. investigation.

The league interviewed Donaghy at its offices as part of its investigation but was unable to substantiate the allegations, which were part of a lawsuit brought by a neighbor of Donaghy in Pennsylvania.

DONAGHY-2127

During the off-season, referees are permitted to bet at racetracks or attend shows at casinos, as long as they do not enter a casino gaming area.

"We can't even walk across the casino floor," said one official, who was granted anonymity because referees are also forbidden to speak with the news media. "They don't want you going anywhere where people could get the wrong idea."

"Bad Bets" also discusses rules against sharing information about the sport, such as tendencies of players and referees that game officials are privy to. Specific referees are reputed to allow more physical play than others, which can affect score differentials and totals on which bets are placed.

Referees are barred from revealing their schedule of assigned games to anyone but immediate family members. Even teams are not informed of the officiating crew until they walk into the arena hours before a game.

"Rather than directly asking referees to manipulate the outcome or score of a game, gamblers may simply seek the disclosure of confidential information that will help them place a successful bet," the pamphlet says.

"Bad Bets" also covers rules governing point-shaving, bribe offers and similar matters. The pamphlet specifically warns against how gambling in any way can leave a referee tempted to work with gamblers.

According to a person involved with the Donaghy case, he is being investigated for gambling on various sports, including N.B.A. games, for at least two years; agreeing to share information about the league after he fell into debt; and manipulating scores on behalf of people portraying themselves as connected to organized crime.

"The financial difficulties experienced by problem or compulsive gamblers would make affected N.B.A. referees easy targets for individuals involved in the gambling business," the pamphlet reads.

Experts in the world of sports betting in Nevada, the only state in which wagering on sporting events is legal, said that news of a referee being under investigation did not surprise them.

"Everyone thinks of point-shaving scandals as involving players, but I've always felt at this point it would be a referee," said Bryan Leonard, a professional sports bettor and handicapper in Las Vegas for 24 years. "In the N.B.A., players are making millions of dollars. They don't

need the money. What do referees make?"

According to two referees, an official of Donaghy's experience would have made about \$200,000 last season, not including money he earned by working two rounds of the playoffs, estimated at about \$75,000.

Donaghy is expected to cooperate with authorities.

A one-sentence document filed in United States District Court in Brooklyn on Friday by Thomas J. Seigel, the head of the organized crime and racketeering section who is overseeing the investigation, notified the court that prosecutors planned to bring charges against a man, identified only as John Doe.

The document said that charges would come by way of criminal information rather than a grand jury indictment, a procedural move made in cases in which defendants intend to plead guilty and often when they are cooperating with authorities.

One person with knowledge of the case said the document pertained to Donaghy, who law enforcement officials have said is seeking to cooperate with prosecutors. Seigel and Donaghy's lawyer, John F. Lauro, declined to discuss any talks Donaghy might have had with law enforcement officials.

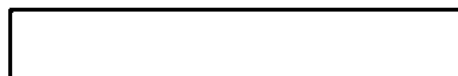
*Liz Robbins and William K. Rashbaum contributed reporting.*

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The Bradenton Herald (Florida)

July 24, 2007 Tuesday

**SECTION:** FRONT; Pg. 1

**LENGTH:** 849 words

**HEADLINE:** FAMILY OF EX-REFEREE REPORTS DEATH THREATS

**BYLINE:** NATALIE NEYSA ALUND and DOUGLAS A. KAID, Herald Staff Writers

**BODY:**

The Manatee County Sheriff's Office has increased patrols around the Lakewood Ranch home of Tim Donaghy, the former NBA referee under investigation by the FBI for allegedly betting on games, including ones in which he officiated.

The boost in security stems from deputies responding to the residence Sunday because of threatening phone calls.

Sheriff's spokesman Randy Warren said Sunday's response was handled "very routinely. Threatening phone calls - we get these all the time."

Donaghy's case is anything but routine, however.

Donaghy, an NBA referee for the past 13 seasons, is expected to surrender as early as Thursday at U.S. District Court in Brooklyn and plans to cooperate with prosecutors, according to court documents unsealed Monday.

The New York Daily News reported Monday that Thomas Seigel, chief of the Brooklyn U.S. attorney's office organized crime division, would prosecute the case and that a grand jury was expected to indict at least two mobbed-up gamblers in the scheme.

Authorities are examining whether Donaghy, 40, made calls to affect the point spread in games on which he or associates had wagered thousands of dollars over the past two seasons.

The referee had a gambling problem and was approached by low-level mob associates through an acquaintance, a law enforcement official told the Associated Press.

An incident report provided by the Manatee County Sheriff's Office stated that the Donaghy household, located in the Country Club at Lakewood Ranch, received two phone calls Sunday from an unknown number.

According to the report, the male caller told the person on the phone, "You're fired and a dead man," and "You're done, you're dead."

That prompted the arrival of three squad cars. Donaghy did not have a listed phone number at his home.

"There is reason for us to keep an eye on his place and follow up," Warren said.

Reports over the weekend said that the FBI first became aware of Donaghy when his name was mentioned in wiretap probes of mobsters tied to the **Gambino** crime family.

The New York Post, which first broke the story on its Web site on Friday, quoted a family friend in a Monday story.

DONAGHY-2131



as saying Donaghy's family was urging him to enter a federal witness-protection program.

"They think he'll be killed if he goes to prison, or even if he doesn't, just because he's probably talking, cooperating, and that's ratting on the mob," the source said. "I don't think (the Mafia) would take that very well."

There were no outward indications of extra security at Donaghy's home on Monday afternoon. A guard at the Lakewood Ranch Boulevard entrance to the community said he knew nothing of any threats until a reporter asked.

No police cars were stationed outside the house, but local and New York media outlets, including TV trucks, have been staking out his home for the past three days.

At least two New York newspapers have decided to keep 24-hour vigil in front and behind the property. On Monday, eight cars with reporters and photographers lined the road in front of the house.

Three sets of rollerblades rested against the wall outside the entrance to the Donaghy residence.

A Herald reporter, along with several other media members, approached the house Monday and asked for Donaghy. A man came to the door and said Donaghy was not currently at the residence.

"I don't think he's allowed to make a statement at this time," said the man through the closed door when asked if there was a way Donaghy could be reached for comment. "He's been told by his lawyer."

When asked who was at the house, the man indicated "(Donaghy's) buddies are here with his wife."

The man declined to comment on his relationship to Donaghy.

A "For Sale" sign sits in the front yard with Vito Bavaro listed as the realtor. Bavaro, a social studies teacher and junior varsity girls soccer coach at Lakewood Ranch High last year, said he was a neighbor and friend of the family.

Bavaro listed the house on the market two weeks ago at a price of \$1.35 million, but declined to comment further. A neighbor's house next door is also on the market, listed for approximately \$300,000 more.

A person with knowledge of the FBI investigation told The Associated Press the NBA was unaware of the Donaghy inquiry until after the NBA finals.

But the Denver Post reported Sunday that the NBA was made aware of the probe in January.

The New York Daily News reported Sunday that Donaghy's former neighbors in West Chester, Pa. - Donaghy moved to Bradenton in 2005 - were asked questions about Donaghy's betting habits by a private investigator representing the NBA more than a year ago.

NBA commissioner David Stern will hold a press conference this morning. During All-Star weekend in Las Vegas, Stern was asked if the league had a fear of point shaving. Stern quickly cut off the questioner and said: "I am not worried about games being fixed, and I'm surprised you asked the question."

Donaghy is the only referee, at this point, under investigation, according to a law enforcement official, but others outside the NBA are expected to be charged in the probe.

*The Associated Press contributed to this story.*

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Copyright 2007 National Post  
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National Post (f/k/a The Financial Post) (Canada)

July 24, 2007 Tuesday  
National Edition

**SECTION:** SPORTS; Bruce Arthur; Pg. S1**LENGTH:** 722 words**HEADLINE:** Coverup would be as bad as crime; How Long Had NBA Held Suspicions About Donaghy?**BYLINE:** Bruce Arthur, National Post**BODY:**

The e-mail arrived on Saturday, and it was short. "Great article," was the subject line. Obviously, that made it stand out from the rest.

That it came from Mark Cuban, the billionaire owner of the Dallas Mavericks, made the e-mail worth reading. It was two sentences long.

"The good news is that the NBA will have to introduce transparency," wrote Cuban. "The only thing that will make the conspiracy theories go away."

The topic, of course, was Tim Donaghy, the instantly infamous NBA referee who is alleged to have bet on games, and perhaps influenced anything from point totals to final scores, after falling into debt to a gambling ring with links to organized crime. This scenario has always been the NBA's worst nightmare, and here it is.

Now, the scandal is mushrooming -- conspiracy theories, You-Tube clips and unsavory details are multiplying like weeds. This has the potential to be the most damaging sports scandal in decades, and the NBA needs to move quickly to salvage its reputation.

But when NBA commissioner David Stern faces the klieg lights this week, the first question needs to be this: What did the NBA know, and when did the NBA know it?

That question harks back to Watergate, and now as then, it is not just the crime, it's the cover-up. The New York Daily News quoted a Donaghy neighbour who said a private investigator employed by the NBA asked questions about the referee's gambling habits over a year ago. And The Denver Post cited a source yesterday that claimed the league "has been aware of the FBI investigation since January and had suspicions regarding Donaghy and gambling."

If that is true -- that the NBA knew of the investigation six months ago, and allowed a mob-connected official to continue to work, including in five playoff games -- then this is worse than we thought.

Even if it isn't the case, the problem is metastasizing by the day, as fresh revelations surface like ex-mobsters in the East River. According to CNBC, Donaghy games exceeded the over-under in 44% of games before 2005 before rising to 57% in the past two seasons, when the irregularities allegedly began.

Donaghy led the league in technical fouls called, according to foxsports.com. And yet the league rated him as above-average this past season, according to the New York Daily News.

For Toronto fans, some will be distressed to learn that Donaghy worked Toronto's final game of the season, a 98-97

DONAGHY-2134

loss to the New Jersey Nets in Game 6 of their first-round series. (The line opened with the Nets favoured by three points, and closed at five points. The over-under was 189). He also officiated the 97-93 loss in Atlanta on Nov. 24 in which the official scorer missed a basket by T.J. Ford that could have altered how the final minutes played out.

Worse, Donaghy was on the crew that butchered Game 3 of the series between the Phoenix Suns and San Antonio Spurs, a 108-101 Spurs win in a series that essentially decided the NBA championship. Phoenix's Steve Nash was exceptionally demonstrative towards the officials during the game, as was Phoenix coach Mike D'Antoni. At the time, the referees seemed to be suffering from basic incompetence. Now, we wonder if the mob bet on San Antonio.

Every Donaghy game has become a potential Zapruder film. And if the NBA knew he was being investigated by the FBI and remained silent -- whether ordered to do so by the FBI or not -- the fallout could be disastrous.

Maybe Cuban is correct -- maybe this will lead to the kind of transparency in training and evaluation that will blunt any of the conspiracy theories that pervasively surround the NBA.

Before that e-mail, Cuban posted an item on his blog on Friday night titled "Calamity as Catalyst -- My Vote of Confidence in the NBA." For a man who, Rasheed Wallace aside, has always been the most prominent critic of NBA officiating, that position is significant.

The NBA has always insisted that its referees are the most heavily scrutinized officials in any sport. But this examination is just beginning. There's lots of digging left to do to unearth all the bodies.

Incidentally, that night in New Jersey when the Raptors were eliminated, there were a few celebrities in the stands, but one stood out. He stands out more, now. Under the basket, with his son, sat James Gandolfini.

People know him best by another name, of course. Tony Soprano.

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July 24, 2007 Tuesday 7:32 AM GMT

**SECTION:** SPORTS NEWS**LENGTH:** 591 words**HEADLINE:** Stern to discuss Donaghy situation Tuesday**BYLINE:** By BRIAN MAHONEY, AP Basketball Writer**DATeline:** NEW YORK**BODY:**

Tim Donaghy is expected to surrender to authorities late this week or early next. David Stern couldn't wait that long to talk about the biggest crisis his league has ever faced.

The NBA commissioner planned to hold a press conference Tuesday morning to discuss Donaghy, at the center of an alleged point-shaving scandal. The first question Stern must answer is what, and when, the league knew of the former referee's gambling habits.

Donaghy officiated the last game of his 13-year NBA career during the San Antonio-Phoenix second-round series. Stern surely will be asked if the league could have or should have known of Donaghy's problems by then.

The FBI is investigating Donaghy for allegedly betting on games he officiated during the last two seasons. He will eventually turn himself in at U.S. District Court in Brooklyn, according to a person familiar with the investigation.

Stern won't be allowed to discuss many specifics of the case against Donaghy, but will likely try to clear up some of the conflicting reports relating to the NBA that are circulating. For example, the league said Monday that Donaghy ranked in the lower half of technical fouls called in each of the last two seasons, refuting reports he led the NBA.

Also, a person with knowledge of the FBI investigation into Donaghy told The Associated Press the league was unaware of the inquiry until after the NBA finals. But The Denver Post reported Sunday that the NBA was made aware of the probe in January.

Authorities are examining whether Donaghy made calls to affect the point spread in games on which he or associates had wagered thousands of dollars over the past two seasons, according to a law enforcement official. The referee had a gambling problem and was approached by low-level **mob** associates through an acquaintance, the official said.

Those familiar with the investigation and the law enforcement official spoke on condition of anonymity because they weren't authorized to discuss the ongoing probe.

During All-Star weekend in Las Vegas, Stern was asked if the fear of point shaving was the reason for his stance against gambling. Stern quickly cut off the questioner and said: "I am not worried about games being fixed, and I'm surprised you asked the question."

Now, questions abound.

According to RJ Bell, president of the sports betting Web site Pregame.com, Donaghy's games went above the

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over/under line 57 percent of the time in the last two seasons after doing so only 44 percent of the time from 2003-05.

Perhaps more damaging, Bell found that in games where the spread moved at least 1 1/2 points, the team getting the big action covered in 10 straight games officiated by Donaghy from January through April of this year. The odds of that, he said, were 1,024 to 1.

Donaghy is the only referee, at this point, under investigation, according to a law enforcement official, but others outside the NBA are expected to be charged in the betting probe.

The investigation already has drawn plenty of unwanted attention.

Over the weekend, police staked out Donaghy's home in Bradenton, Fla., after he received two telephone threats. Both calls seemed to come from the same unidentified caller, Manatee County Sheriff's Office spokesman Randy Warren said.

Three squad cars arrived at Donaghy's home Sunday after he received the calls, according to a sheriff's office report. Donaghy did not have a listed phone number at his home.

"There is reason for us to keep an eye on his place and follow up," Warren said.

Associated Press Writer Pat Milton contributed to this report.

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**DAILY NEWS**

## David Stern press conference transcript

Tuesday, July 24th 2007, 5:33 PM

**COMMISSIONER DAVID STERN:** Good morning. We're here today to discuss the ongoing investigation into certain allegations about NBA referee, Tim Donaghy.

What I propose to do is to tell you what our procedures are with respect to referees and gambling; what we can or cannot tell you and why there are certain things we can't tell you that might have made it easier not to have this press conference at this time, but we thought it was our obligation to have it; what previous actions we have known about with respect to Mr. Donaghy, what we did about those, and what we are permitted to say about Mr. Donaghy and the investigation and when we learned about those facts. And then I'll open it up to questions and spend quite a bit of time here to satisfy you on all of the things that I'm able to.

The first thing that I would like to say is that our rules are crystal clear; that referees may not either gamble on our games; or, provide information to anyone about those games. We, you know, have a rule that says you're subject to discipline, which would most likely be expulsion from the league and the job. We educate our referees intensely. We have training camp presentations, we have brochures we distribute work rules, they are visited by security, and we give them copies of compliance plans and the like that make it clear that not only aren't they permitted to either gamble or provide information to people; they may not even provide other than to their immediate family the details of their travel schedules or the games they are going to work.

We take these rules seriously. We have a security department that is large. It's headed by Bernie Tolbert, the senior vice president of security, former FBI, head of the Buffalo office second in command at Philadelphia who has a background in undercover work. We have in house representatives that are from Secret Service, U.S. Army, New York Police Department, and New York State Police Investigation.

We, in addition, have a security network that includes a security representative with respect to every NBA team. Those security representatives are routinely judged and either changed as appropriate, and instructed on the ground to be listening to what goes on, what they hear, what they see, what they can observe. And those security representatives are for the most part either FBI retired, local police, in some cases DEA. And we are permitted by work rules, some of them are actually functioning in their regular capacity for local PD and working for us at the team level.

In addition to the constant communication with our security represents of what goes on in the cities, we are in continuous conversation with DEA, the FBI section on organized crime which deals with sports betting, and with the Homeland Security Department. Our security department operates rather extensively, and has actually been beefed up more recently with respect to its activities in connection with Homeland Security, which occupies since 9/11 a more substantial time, a more substantial amount of its time.

We do subject our referees to extensive security checks, to the limit provided by the law. That is to say, with their authorization each year for the past two years, we have conducted personal background checks that cover credit, bank account, litigation, civil and criminal, assets including real property, debt, you name it; if it's legal to have it, we do it. The agency that we use for that is the Arkin Group, and under the guidance of the former head of worldwide operations for the CIA.

If appropriate, we do follow up work with respect to anything that the investigation shows. And when we are curious, I guess, because we've been alerted to something, we hire appropriate investigators to look at the details.

With respect to our referees' performance, well, I guess before I get to that, let me just say, we in addition to that, as part of our concern with gambling, we have for many years retained a consultant in Las Vegas whose job it is to inform us whether there are any movements or unusual movements in betting on the NBA about which we should be concerned, and we're also in contact with the Nevada Gaming Board who monitors that for their own purposes to determine whether there has been anything that we should be concerned about or particularly aware

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of.

On the court, we have since the beginning of 2003 2004, been implementing a system that is designed to capture every call that a referee makes, and every non call that is deemed by observers to be incorrect. And our observer system works roughly as follows: We have retained 30 observers, one at each of our team's games. They are in effect charting the game with respect to the calls and other observations that they make. They then review the game on tape. They then are audited, not every game, but selectively audited by the group supervisors that we have employed by the NBA.

And then most recently this year, we actually to sort of do an audit on the auditors and satisfy ourselves that our observer system had the accuracy that we were hoping to build to, we began using two of our 30 observers to actually observe other games to see how they would have been called, and we retained four additional basketball experts not currently employed in the NBA or by us to, in effect, audited auditors so that the system was as good as it could be.

I guess with respect to that, I can say that what we did with our officials when we began this, because this was new, in all of professional sports, was to assure them that the primary purpose of this system was designed for their development to make them better officials; to increase their call accuracy and generally to improve the quality of their work.

And that is not to say that if something unusual popped up, we wouldn't pursue it, but we it was not predominately developed as a screen for criminal activity.

Now, with respect to Mr. Donaghy, in 19 in January of 2005, it came to the NBA's attention that he was involved in disputes with his neighbor which resulted in the filing of litigation in or about West Chester, Pennsylvania, where he resided.

We hired an investigator to look into that through our security office, and looked at the allegations in the complaint. It had to do strictly with a dispute, and we had occasion to call Mr. Donaghy in where he informed us in January of 2005 that we he informed us that the allegations against him were untrue, and that he was the person that was being harassed by his neighbor, not as alleged by the neighbor, that he was harassing the neighbor.

At that time, and as part of that investigation, there was an allegation made by two of our investigators on the ground, which by that time we had retained the Arkin Group to continue the investigation. Somebody suggested that he had gambled at the Borgata Hotel in Atlantic City, at either the gaming tables or card games, I can't remember which one. There's no sports betting in Atlantic City.

He had denied that he did that. We checked not only the Borgata, but every casino in Atlantic City and in Las Vegas to determine whether he had any presence in any of those places, and all of our investigation came up negative.

The only thing that persisted was this ongoing dispute with his neighbors, and we informed him that that made us unhappy; that was not the kind of conduct that we expected from our referees despite his denials that he was the victim, rather than just a willing participant in all of this. And in 2005, whereas he had worked the second round of the playoffs in 2004 2005, in the playoffs of 2005, we told him that he was not going to work the second round. This, in effect, as a consequence of making us unhappy with his behavior. Not relating to the gambling allegations with we followed to the end of the trail and could not substantiate any of it; but with respect to his behavior and the kind of conduct that we didn't like. And we told him that if it continued, he would no longer work for the NBA.

Mr. Donaghy subsequently moved to Florida, and there were no other allegations against him of any kind in the 2005 2006, 2006 2007 seasons, no reports of any kind. And the background checks that we do each year, as I did, give us everything that's legally obtainable yielded nothing that raised any suspicions by us. Indeed, as a matter of his on court performance, he's in the top tier of accuracy, to the extent that we engaged that as a second round official, which is a good ranking amongst NBA officials.

Now, on June 20, we got a call from the Federal Bureau of Investigation telling us that they would like to come in and meet with us because one of our investigations June 20 of this year, by the way, I'm sorry. After our foreshortened Finals, we received a call from the FBI to say that they wanted to come and talk to us about a referee alleged to be gambling on games.

I want to do two things here. I want to say and we did meet with them the next day, on June 21. I want to say two things here. One, we're extraordinarily thankful and appreciative of the efforts of the FBI and of the U.S. Attorney's

DONAGHY-2141

Office, the Justice Department. In their cooperation with us, it's really allowing us to cooperate with us, and informing us of the danger that is here and asking us to provide them with certain information without the need for a subpoena, which we did. And they explained to us as best they could why they might or might not need this, and we are continuing to cooperate and produce data.

But we are unable and I am therefore unable to comment on the continuing investigation and the information which we have provided to them and that they have provided to us. But I'm going to within those constraints give you what my understanding is of what Mr. Donaghy stands accused of.

We understand that he is accused of betting on games in the NBA. We are not positive it's games that he worked, although I understand that some of those are games specifically that he worked; I understand that it may be that he bet on other games in which he didn't work. I understand that he is accused of, or likely to be accused of, providing information to others for the purpose of allowing them to profit on betting on NBA games.

I am not I don't know the number of games. I don't know which games. And until this moment, I have not deployed substantial amounts of people to do the work that would be necessary to satisfy us, because I felt constrained by the FBI's request that we not communicate this to anybody; so the smallest possible number of people knew about this in the NBA office and knew about the fact of this ongoing investigation.

On July 9, Mr. Donaghy resigned. Suffice it to say that we would like to have terminated him earlier upon learning certain things, but it was our understanding that the investigation would best be aided if we did not terminate Mr. Donaghy. So, we did not, and he resigned.

We understand that the relevant time period being investigated is the past two seasons; that is, 2005 2006, and 2006 2007. I can tell you that during that period of time, Mr. Donaghy refereed 139 regular season games, eight playoff games, and four preseason games.

I also understand that Mr. Donaghy is the only referee who is alleged to have bet on NBA games and disclosed confidential information to others with respect to NBA games that would enable them to place wagers with an advantage. I'll say it again, I understand that this is an isolated case involving an NBA referee who engaged not only in a violation of our rules, but in criminal conduct.

But let me make it clear, that's my current understanding, and I await the outcome of the investigation by the FBI and the determination by the Justice Department and what they are going to do with it. All of my knowledge is secondhand. That's my current understanding. But given the extraordinary interest that has been generated and fair questions that have been asked, I felt I had an obligation to come here as soon as possible, and I informed both the FBI and the Justice Department that I would be doing that.

If there are different facts that have been uncovered or will be uncovered, we will make them available as we know them.

Just a couple of other things. No. 1, there's been some speculation that we knew that Donaghy was betting the season and nevertheless let him work. That's not true.

A lot of speculation about our previous investigation of Donaghy; I've told what you we've done. And we will continue to both not only keep you advised, but I think it's my obligation as commissioner to retain the best outside experts in these matters and consultants to advise the NBA on what we can do better to assure our fans that our games are being decided on their merits. I think that's the obligation that every sports league has.

I have been involved with refereeing, and obviously been involved with the NBA for 40 years in some shape or form. I can tell you that this is the most serious situation and worst situation that I have ever experienced either as a fan of the NBA, a lawyer for the NBA or a commissioner of the NBA. And we take our obligation to our fans in this matter very, very seriously, and I can stand here today and pledge that we will do every look back possible to analyze our processes and seek the best advice possible to see if there are changes that should be made and procedures that should be implemented to continue to assure fans that we are doing the best we possibly can.

It's small consolation to me, but, you know, doing the best you can doesn't always mean that criminal activity by a determined person can be prevented. All you can do in many cases is deal with it as harshly as you can when you determine it and hope that that, in addition to all of your other processes and procedures, acts as a deterrent.

But if there's anything that is possible, virtually regardless of the cost, we plan to pursue that and to, in effect,

reaffirm our covenant with our fans; that the NBA is a product that will remain proud of its officiating staff, which we believe is the best in the world, and that our games are decided on their merits.

I'm happy to take any questions.

**Q:** I just want to be clear, within the past two seasons, neither you nor anyone in your employ was given any heads up by anyone that Mr. Donaghy might have had a gambling problem?

**Stern:** That is correct.

**Q:** Considering all of the security things you laid out for us, are you surprised or shocked that something like this could slip through the cracks and you all wouldn't find it?

**Stern:** You know, that's a question that I've asked myself in the pendency of this investigation. And I guess, yes, I'm surprised; but I think no more surprised than the head of the FBI, the head of the CIA, that rogue employees turn on their country in criminal activity despite the best investigative procedures you can possibly imagine; or when judges turn out to be corrupt despite their oath and the processes that are used to monitor them. But that's small consolation to us.

What I always do is turn it inward and say, what else could we have done and what else can we do. And if I can unburden myself in that area, I want to call in the best minds that I can have around me with respect to criminal activity, gambling detection, and determine what is legally possible.

You know, we were advised at least as sort of an investigatory matter, the two things that would be usable would be wiretapping, which is available to the FBI and illegal by a private employer check and a 24 hour surveillance on a 24/7 basis of every employee which, you know, not something that we do.

**Q:** Can you take us through the range of emotions that you felt when you first got this phone call from the FBI that someone had possibly corrupted what has been your life's work?

**Stern:** This is a subject that we discuss at the NBA, the statistical the institution of the statistical development database was at my direction and the institution of the two of the more recent annual reviews of all that's legal were at my direction.

And so, I'm aware and have been aware of the threat that's placed to all sports. We followed with particular interest the recent referee scandal in the German soccer league, the Bundesliga League, which is a big deal I should say the German football league. And we think about that all the time in terms of how they were found out, what we can do to be better and it's ongoing.

And my reaction was, I can't believe it's happening to us.

**Q:** And then can you also take us through the last two days since the story broke on Friday; what have you been doing, what kind of meetings have you been having and what has it been like around the NBA offices?

**Stern:** Well, actually after this press conference I'll going to the NBA family picnic to assure a bunch of employees, their families and kids that the sun is definitely going to rise tomorrow.

But really, our what we wanted to do, most importantly and have been chomping at the bit to do, is figure out a way between what we could say and what we couldn't say, to get me here as fast as possible, and that's what we've been spending our time doing and ruminating about how we will spend significant parts of the summer and fall seeking expert guidance with respect to what else we can do.

We've been comparing our procedures to see whether there are other leagues that we want to, you know, despite our competitive spirit, that actually do it better than we do; whether there's things we can adapt, etc., because we take our covenant very seriously. And that's it.

It really had to do with getting everything out. We had hoped when this broke on Friday, we spent Sunday preparing for a press conference yesterday. But in light of various conversations that we were having, we thought it better to schedule the press conference for today or tomorrow. But then those conversations allowed us to go forward with today, and so we scheduled it for the earliest possible time with some concern for our friends on the

West Coast, so they wouldn't have to get up before 8 a.m.

**Q:** You've always been very protective of the referees and the fact that there was a system in place of players and coach, criticize referees, they are fined sometimes quite heavily. What are you going to do to look at your system and perhaps make it more transparent? And you talked about your covenant with your fans; what can you do to work with the players to reassure them that the system is honest and above board?

**Stern:** Well, I think I'm going to come back to the fact that I'm going to wait for this investigation to run its course, because we think we have here a rogue, isolated criminal. And I think we want people to understand our system, and I think I still have to be protective of my officials, including those who likely have been and will continue to be unfailingly besmirched in the allegations that have been made against Mr. Donaghy.

By and large, they get it right most of the time. They get it wrong sometimes. Sometimes they perhaps carry themselves in a way that is not as modest as we would prefer, but they do their darnedest to get the result right. And frankly, I'm more concerned, rather than chastising them, with reassuring them that I am committed to protecting them while at the same time making sure that we keep our covenant with our fans.

With respect to transparency, you know, I'm going to wait for the summer to yield the results as a fan and the like. I think it's important that our referees who have a very difficult job, you know, 70 away games every year going into a place where there seems to be unanimity of agreement about their competency, not their integrity, but their competence. We've got people complaining about from both teams about the referees called a bad game against them.

But we'll continue to work with our referees to get their accuracy level up. We'll continue to work I mean, to be transparent in the sense that our fans know how the system works. We will do that. We're not transparent enough. We will continue to recruit and improve our recruitment which is another ongoing issue. We will continue to bear the expense for both the Development League and the WNBA to work three person rotations so that our referees training can have the greatest array of competition and the like and anything else we can learn. I think transparency is a good thing.

**Q:** Because of how protective you have been, do you feel betrayed by what happened?

**Stern:** I feel betrayed by what happened on behalf of the sport regardless of how protective I've been. This is not something that is anything other than an act of betrayal of what we know in sports as a sacred trust.

**Q:** If you can just describe your thoughts, you find out obviously one of your referees is acting illegally, but then to see further reports that there could be Mafia ties, and now there are reports in the paper today of death threats. How has continued to escalate, a referee continuing to act on his behalf of point spreads --

**Stern:** I don't look at this as continuing to escalate, that's just the media, it's an interesting story and it's going to get lots of coverage. That's the business that we're in. We expose ourselves, we invite you in and we ask you to cover us. And with that comes the obligation to be covered whether it's good or bad. And it comes as no surprise to us that things that we would rather not happen are covered as widely as things that do happen. I just understand that from all of the years that I've been, you know, working with or for the NBA.

And to me, it's fascinating that actually subjects that are that are interesting and compelling somehow become even more compelling in the context of sports and allows people to jump in, have an opinion, a way in, follow it, and that's one of the things that comes with the territory.

**Q:** I know it's hard to prove a negative, but how certain can you be that this is an isolated incident and it isn't more pervasive?

**Stern:** I think I was just asked when I stopped beating my wife; so I don't think that how certain can I be? On the basis of my current understanding, it's an isolated incident. And I can't prove that I can never be certain of anything, but we have been we understand that this is an isolated instance.

So that we kind of welcome the most extensive investigation by the Federal Bureau of Investigation and the Justice Department because they can do things that I can't do legally. And so whether we like it or not, we are in the process of being vetted in a very thorough way, and I can tell you that that's something that we have welcomed and with respect to which we are continuing to cooperate and provide information.

**Q:** So they are looking into the other referees, as well?

**Stern:** Not exactly. But we don't know exactly we know a little bit and we know that at this point, that we understand that it's an isolated instance, but I don't want to comment about their investigation or what they are doing because I've been asked not to; indeed, directed not to.

**Q:** If I'm reading you right, is it yet to be determined whether Donaghy made calls that affected outcomes of the games?

**Stern:** I don't think you have to read me. You can ask me. I mean, what I said was my understanding is, that he is currently that the current state is that he's I have to choose my words carefully. His current state is what we are dealing with is betting and providing information. I don't know about any charges or any discussions or anything else with regard to fixing of games.

**Q:** Do you know how he bet to avoid security?

**Stern:** I have a strong idea but it's part of the continuing investigation and I'm not authorized to say that. But I believe that it will come out and I also believe - my understanding is it wasn't through Las Vegas.

**Q:** It's been said that there's been some tension between the referees and the league office over the ratings system, the way they feel that they are so closely monitored. If one of your referees was having problems at home with an outside situation, would he come to the league office and tell you that. How would he do that if he wanted to?

**Stern:** We have a pretty extensive employee assistance program confidentially available. They are employees the same as anybody else; and the issues of stress, family management, money concerns, you name it, we are accessible and they know how to do that.

**Q:** Did he ever?

**Stern:** No - well, he actually in the course of the investigation, he asked us whether we could be helpful in having his neighbor stop menacing him, but that was it.

**Q:** Just to go back a second, Tim Donaghy resigned, but you must have resigned him. Can you tell us how that -

**Stern:** No, no.

**Q:** He came in --

**Stern:** No, he didn't come in. We received a letter. He resigned. Because we came to the belief that termination by us might hamper the ongoing investigation, and as a result, even though we knew he was going to be terminated, we did not because we did not want to be responsible for in any way, shape or form influencing the investigation.

**Q:** Have you talked to him since? Have you personally talked to him since?

**Stern:** No.

**Q:** The call on June 20?

**Stern:** No. We have had conversations with his lawyer.

**Q:** There have been various reports in Philadelphia and other places, several anger management situations involving Tim Donaghy including a problem with a postal worker, including a physical confrontation with a fellow referee at a union meeting and some things that happened at golf courses. Was none of that enough to warrant additional action by the NBA?

**Stern:** Well, it was enough to warrant investigation by the NBA. It was enough to bring him in to ask him about the veracity of those. It was enough to cause us to interview some of the people with whom he was in dispute;

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although, they might have their own perspective or view that was different. And not unlike players, an altercation in the locker room or in training camp is not would not be that would not be the only one in my time as commissioner if there was such.

**Q:** But sheer volume of those wasn't enough to make you do more?

**Stern:** The sheer volume, as I said, was to call him in and say if it happened again, anything like it, he was going to be terminated and to show that we meant it; he was being pulled off a round of playoffs, which are something that every referee aspires to. And then we concluded investigations in each of the subsequent years and found nothing to suggest any continuation of that behavior.

**Q:** Earlier today, you said that you had been aware of the threat placed to all sports, and we think about it all the time at the league offices. I believe at the All Star Game in Las Vegas, you were asked by a reporter, 'Does the subject of game fixing in any way concern you'; and you said, 'No, it does not concern me and I'm surprised you ask the question.' Just curious if you could explain the context of why you said that and how we should reconcile that with what you said today.

**Stern:** Do you have the transcript with you.

**Q:** No, I don't?

**Stern:** I don't remember saying it that way. I think it was somehow connecting it to Las Vegas which I think is actually counter. I understand what I said was I understood, or what I say now, I understand why Las Vegas says that it is actually the check on illegal gambling, even though - the check on points spreads, even though it only represents to something under five percent of actual betting; the rest being 95 percent illegal, but it's the connection between. As I recall the question, it was like, aren't I worried that being in Las Vegas affects fixing of games, and that's not.

**Q:** Is there a distinction between Las Vegas sport betting and off shore sports betting in your mind?

**Stern:** Well, there is. One is legal in the United States of America and one is illegal.

**Q:** They are both against your rules -

**Stern:** Oh, yes, you are not permitted to bet if you're a referee. You're not permitted to bet legally and you're not permitted to bet illegally. The legal betting will cost you your job. The illegal betting, depending upon the context, may cost you your freedom.

**Q:** I wanted to give you a chance to clarify, you were very clear, that this is the only referee currently under investigation --

**Stern:** I'm very clear that is my current understanding that this is one isolated referee, and that if that understanding changes tomorrow, I will so inform everybody.

**Q:** Are you just as clear in your understanding currently that no other no player, team or other league official is currently under suspicion or investigation?

**Stern:** I know of no such suspicion.

**Q:** Over the years, have you ever had to - not you, has the league ever had to bring in any officials to discuss the possibility of maybe red flag of gambling?

**Stern:** No. This is part of the code, our you know, our referees know what's expected of them.

**Q:** Now, you were probably a young man when the besting scandals at CCNY in New York City destroyed college basketball --

**Stern:** I was eight years old, I rush to say; I was a mere slip of a lad.

**Q:** But you know the damage that did to college basketball, not only in the City, but throughout the East Coast of the United States. How concerned are you that this incident could have a similar effect on the popularity and on the fact that people may not believe what they see when they watch NBA games anymore.

**Stern:** That's a fair question. When I was a lot older, I did legal work with respect to the 1961, I guess it was, investigations that related to names like Jack Molinas, Aaron Wagman and the fixtures that were there. I had occasion to work with then District Attorney Frank Hogan's office and assistant DA and so on, and Detective Laurendi who administered the polygraph test for the New York Police Department.

I'm very aware of this subject. And I guess what I could say is that college basketball is soaring. I don't participate in betting on college basketball, but lots of other people involve themselves in the bracket. It's done better than ever. I'm aware that the World Cup is probably the greatest spectacle in the world of sport, and that's despite the referees that have been found to have fixed games specifically. And it is my hope that the NBA will be similarly accorded the benefit of the doubt based upon what we have done, what we stand for and what we pledge to continue to do.

**Q:** Just for clarification, did you say Tim Donaghy is being accused of betting on games that he did officiate?

**Stern:** It is my understanding that amongst the allegations are that he bet on games in which he officiated and possibly in which he did not officiate, and that he gave information to others for the purpose of allowing them to place bets on games that he was officiating and games that he was not officiating.

**Q:** Are you reviewing tapes of games that Donaghy was involved in, and also, what do you tell spectators who are looking very hard at the Suns' first playoff series?

**Stern:** I would like to await the outcome of the criminal investigation so that we will both know before I answer that question, whether that was one of the games that was bet.

With respect to the review of games, we are, as I said earlier, we didn't deploy all of the people that would be necessary to do that. He worked 150 games over the last two years, of course we did not want to sort of march people together and say, we are now going to investigate Tim Donaghy, I want you to look for this. But I can assure that you in the fullness of the summer and the autumn, we will have the opportunity to review Mr. Donaghy statistically and by video, and it will be done.

**Q:** On your referee monitoring system in the arena, do you use existing TV cameras or do you have a separate number of cameras set up for this?

**Stern:** No, we use existing TV cameras. We have lots of different feeds.

**Q:** And also, have your monitors ever looked at especially suspicious patterns or have you never heard of anybody doing that?

**Stern:** Especially suspicious patterns have not revealed themselves to us, but the primary purpose was not a screen for criminal activity.

I cannot tell you that it will remain that way, because as we seek expert guidance to continue to give the assurances to our fans, I'm not here to predict what we will do and what we don't do.

But I can tell you that I know that the Referees Union has been very supportive of our endeavors, the Players Association has been very supportive of our endeavors, and the Coaches Association has been very supportive of our endeavors. We have heard from each of them and I think that we are working together with both those organizations and the outside experts that we will come up with something that is appropriate and continue our efforts to make those assurances to our fans.

**Q:** Did the Nevada Gaming Commission or the consultant that you spoke about earlier that you keep in Las Vegas, did they alert you to any suspicious activity related to either games Tim Donaghy worked, or if not, how common is it for them to alert to you suspicious --

**Stern:** It is not common.



**Q:** Has it ever happened before?

**Stern:** Once a long, long time ago.

**Q:** Could you elaborate on that? Is it a closed case?

**Stern:** It doesn't involve any currently working there was some question where an NBA game that was taken off the line; it must have been 20 years ago, and that was it.

And the question there was about the timing.

**Q:** Was that the Gaming Commission that alerted you at the time?

**Stern:** I think it was.

**Q:** To the best of your understanding, do you really feel that it's possible to determine if a referee is actually cheating, making calls that aren't real?

**Stern:** That's a really good question. It's very hard, but we're going to give it our best shot. There are things that you have been speculating about in the media in the last few days about the number of calls, the disparity of calls and the like. But it's hard, but we're going to do it and we'll be able to make the judgment at that time.

It would not surprise me if it proves to be difficult, but I just want to say one thing here. If you bet on a game, you lose the benefit of the doubt. So I'm not going to stand here and say to you, it didn't happen, because that would impair the credibility that I think the NBA deserves for its efforts, and that's why we don't allow betting on games because as our brochure that we give to the referees says, that if you bet, then people will assume that the game is being subjected to the possibility that it would be decided by other than on its merits, and I think that's a fair point. And I will make no defense, neat criminal distinction between betting on games here and something worse. You lose the benefit of the doubt when you do it.

**Q:** Two quick things. One, is it illegal to bet on it's not illegal for your employees, they are not allowed to bet on NBA games or they are not allowed to gamble the slot machines, cards, betting on NFL games?

**Stern:** The prohibition is on all forms of gambling.

**Q:** Slot machines included?

**Stern:** Slot machines included. If you want to go to the racetrack in the summertime, you get a pass, that's it.

**Q:** And you found out on the 24th and Donaghy resigned on the 9th. To the best of your knowledge when were you told he was under investigation?

**Stern:** I found out on the 20th of June. Donaghy resigned on the 9th of July. So by the time that we had our first meeting, I think it's my understanding that Mr. Donaghy and his attorney were well aware of the pendency of the investigation.

**Q:** How does this impact the possibility of an NBA franchise sometime being in Las Vegas?

**Stern:** I don't know. I think the I honestly think that the juxtaposition of a meeting of our committee on that subject which was scheduled for Monday and this was untimely and I cancelled the meeting; not out of any rational response, but my feeling about it was it was not something I wanted to juxtapose, and I think that in the course of the summer, we'll think about that as well.

**Q:** Given that it's likely that Donaghy laid his bets down illegally with illegal bookies, what do you think about the debate about whether sports betting should be legalized in this country so folks like the Las Vegas regulatory authorities could track it and possibly regulate it?

**Stern:** Historically, I think that by making it legal, you're going to encourage more people to bet, and that's been the policy underlying the illegalization of off shore gaming and the like. I'm going to leave that for smarter policy

makers than I, but it has been our historic position that it and really encoded by the U.S. Senate in the '90s in legislation introduced by then Senator Bradley that made sports betting specifically illegal in any jurisdiction that didn't have it at the time of the legislation.

**Q:** I'm wondering if there is any indication that any of Mr. Donaghy's fellow referees had any inkling of his connection with organized crime?

**Stern:** The only inclination was after the investigation began and the buzzing after June 20 where there was some chatter about the fact that he was being investigated for something, and the referees knew that. And I believe they knew that either directly or indirectly from Mr. Donaghy himself.

**Q:** You mentioned earlier the background checks and the credit, bank accounts, that kind of thing had only been the last two years. I'm curious why it was such a late arriving thing?

**Stern:** Before that we did the normal, standard criminal and credit checks upon hiring and we did a standard ongoing check every two years. But we decided two years ago that we should actually do it every year and indeed do it deeper and a more expensive dive because of the subject matter.

And that was unrelated to Mr. Donaghy. That had been put in motion by me before the Donaghy probably at the beginning of the 2004 2005 season, but we couldn't do it by then so we resolved to do it starting at the 2005 2006 season.

**Q:** In the course of your conversations with authorities, have you gotten any indication about motive, what made him do this?

**Stern:** I'm not able to answer that question openly at this time, I'm sorry.

**Q:** You mentioned that referees are allowed to bet at the racetrack in the off season. Isn't that the same kind of place where you can get into the same kind of gambling problem or debt as other forms? Why is that an exception?

**Stern:** Because it was bargained for by the union against a since we had the most far reaching prohibition, I think of any sport, which prohibited them being in casinos, that we said, okay, if you're a summer day at the racetrack is okay, out of season.

**Q:** Is that something that you'll visit given this case?

**Stern:** Boy, we're going to revisit everything. Everything.

**Q:** Do you feel you will know what games may have been compromised before the FBI lays out their case; will they share it with you or will you have to wait?

**Stern:** I have to wait. That has been made clear to me. And I appreciate that and I support that. If I haven't been effusive enough in my praise of the FBI and the Justice Department, I want to add to that here; we appreciate what they are doing and we don't in any way want to compromise their investigation and we appreciate their understanding that as a matter of our business, and our sensitivity to what you folks think and our fans think, that we have to come out here and sort of having to walk this difficult line.

**Q:** If you do find out that playoff games may have been compromised, does that make regaining the confidence of the fans and the public even more difficult if your tournament was possibly tainted?

**Stern:** I think that I think that we are going to maintain the confidence of our fans and regain the confidence of those who may be shaken by this as we are. But to me, one game that is allegedly determined on its merits is bad enough. I'm not going to distinguish I'm not going to take the easy out and say I'm relieved that there are no playoff games, which might be the case, I don't know. That doesn't make it any better for me.

If regular season games are determined on other than their merits, then the wrong has been done; the trust has been violated. I'm not going to distinguish between postseason and regular season.

**Q:** Could you confirm reports that Donaghy was at or near the top of the list among fouls called, technicals; and if

so, was that something that trips the league's wires?

**Stern:** No, I can tell you, I believe that he was not near the top of technicals. And I believe that he probably was near or at top of calls made, but someone always has to be at the top, at the bottom, to get you to an average and if someone was calling a couple of fouls more than the average, we see that in different categories.

We use that for training, actually, sometimes. We go back, we look at tapes and we see that a referee is adamantly not calling defensive three, then we go back and look at a tape and we don't say he's got to call more. We look at examples that's a trigger for us to look at examples that that's happening and that something may be missing and we'll call it to his attention. A foul call itself is not a trip wire for us.

**Q:** Will you examine raising their salaries to reduce the risk of debt or anything else that might factor into them thinking bad thoughts?

**Stern:** Mr. Donaghy earned this past season, \$260,000. I think that and with each year of additional experience that gets raised and has a component of regular season and for playoffs, and he only has 13 years of experience. We have referees with 29 or 30 years of experience who are appropriately higher earners.

So we do think that that is fair, and there are lots of people that keep the peace that earn a lot less.

**Q:** I'm wondering, do you have any idea how he got away with this? Can you comment on how he managed to hide this?

**Stern:** I mean, I'll only invoke the earlier reference to the CIA, the FBI and people who get away with doing dastardly things. If you're intent upon engaging in criminal activity, and if you are acting alone in many cases without the knowledge of even your family, it's possible. Our history is replete with examples of that. So it doesn't come as a surprise that you could go undetected.

**Q:** In his bank account, there was no suspicious amounts of money?

**Stern:** No.

**Q:** Mr. Donaghy has not been convicted or charged with anything so, what evidence do you have that he's guilty of having bet on games?

**Stern:** His lawyer informed us that he's contemplating a plea on that subject.

Does that answer your question?

**Q:** Yes. Just wondering, you mentioned the Players Association, but broader than that, what conversations have you had with any players since this broke, and because of this situation, what concerns might come up for them during the season?

**Stern:** Well, I've had the ability to have a dialogue with Michael Goldberg, the head of the Coaches Association who is here. We've been in touch with Gary Paul, the second in command at the Union; Billy Hunter has been in Africa. We met with Derek Fisher yesterday, the head of the Players Union. And NBA personnel are on the ground at the training camp for the national team in Las Vegas this past week.

And generally what we have said to the players is what we're saying to you and to our fans; we're going to do the right thing here by a combination of disclosure, self analysis, and determination to do what's right and best on an ongoing basis.

**Q:** And what is from them or from the public your greatest fear about what this could do to the credibility of the game?

**Stern:** I think the public learning, what we do, what we have done and what we are determined to do is going to be by and large with us.

And it's not about my fear. The only fear I have is not making good on the covenant to do whatever is necessary.

And I'm saying here as a personal matter, that I am going to be deeply involved in the analysis and changes that go on so that if I stand here again to say what we're going or what we've done, it's going to be because I had firsthand knowledge and got my hands as dirty as they possibly can get in connection with any changes that we might make.

**Q:** Are there any concerns or investigations about possible game fixing or any thoughts about inappropriate relationships or deals with players or coaches?

**Stern:** No. But we are going to, as I said, use the summer to analyze everything that we have, get the right opinions, and, you know, continue to improve our systems.

Before I leave with a thank you, I just want to sum up to say to you that this is something that is the worst that could happen to a professional sports league. And I want to say on the other hand that we are going to make good on the covenant that we believe we have with our fans, and I pledge that my involvement will be as intense and complete as it can possibly be and what we do will be completely transparent.

Thank you very much.

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## Stern believes NBA scandal limited to one ref

BY KEN BERGER

ken.berger@newsday.com

July 24, 2007, 9:53 PM EDT

The phone call that changed everything came into David Stern's office on June 20, 2007. It was the FBI calling about referee Tim Donaghy.

"My reaction was, 'I can't believe it's happening to us,'" Stern said Tuesday at a Manhattan news conference in which he chronicled what he knows so far about a betting scandal that has rocked the NBA to its core.

"This is the most serious situation and worst situation that I have ever experienced, either as a fan of the NBA, a lawyer for the NBA, or a commissioner of the NBA," Stern said of the basketball league that has been his life's work for four decades.

Calling Donaghy a "rogue, isolated criminal," Stern used the hour-long, nationally televised news conference to defend his overseeing of all referees and Donaghy in particular, and pledged to "make good on the covenant that we believe we have with our fans."

Though Stern asserted that it is his "current understanding" that Donaghy is the only referee under investigation in a federal gambling probe, he could not guarantee that will remain so because the investigation isn't over.

"This proves that I can never be certain of anything," Stern said. "But we understand that this is an isolated instance."

Asked if any player, team official or league official besides Donaghy was under investigation or suspicion, Stern said, "I know of no such suspicion." When pressed on whether authorities are looking into other referees, Stern said, "Not exactly," and cited the ongoing investigation as the reason for not elaborating.

Having conferred with investigators led by Eastern District federal prosecutors in Brooklyn, Stern essentially confirmed what sources familiar with the probe have told Newsday. Donaghy, 40, is alleged to have bet on NBA games and provided information to gamblers to help them win bets during the past two

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seasons, Stern said. Though he said he does not know which games or how many, Stern said they involved "games in which he officiated and possibly in which he did not."

"I don't know about any charges or any discussions or anything else with regard to the fixing of games," Stern said.

Sources familiar with the investigation told Newsday Tuesday that there is no evidence to this point that Donaghy engaged in point-shaving or manipulating the over/under line. The sources said Donaghy did more than simply provide information to gamblers about the condition of players and assignment of referees, but would not specify what actions they believe he engaged in.

Stern declined to disclose Donaghy's motive, but sources said he had accumulated significant gambling debts.

After receiving the call from the FBI on June 20, Stern met with investigators the next day and was advised that firing Donaghy would compromise the investigation.

Donaghy resigned on July 9, and the FBI probe became public on July 20. Donaghy is cooperating with prosecutors in hopes of a lighter sentence, and now is expected to surrender by late next week -- a second delay that is partly routine and partly due to the negotiation of his plea agreement, the sources said.

Two South Jersey bookmakers with alleged ties to organized crime also are expected to be arrested, the sources said.

Stern said Donaghy's attorney, John Lauro, informed him that the referee is "contemplating a plea" in the case. Lauro did not return a call seeking comment.

Addressing how Donaghy's alleged activities escaped his detection, Stern flatly denied that the league suspected Donaghy had a gambling problem last season and allowed him to continue officiating. "That's not true," he said.

Stern said investigators checking into Donaghy's activities in 2005, as the result of a civil harassment lawsuit filed against him by neighbors in Pennsylvania, were unable to substantiate assertions that Donaghy had gambled at the Borgata Hotel in Atlantic City. League investigators checked every casino in Atlantic City and Las Vegas and found no evidence Donaghy had visited them.

All forms of wagering are prohibited for NBA referees, with the exception of betting at horse tracks, Stern said. The exception, collectively bargained by

the referees' union, will be reviewed.

"We're going to revisit everything," Stern said.

After 2005, there were no further complaints, reports, or suspicions about Donaghy, and thorough checks into his finances -- routine for referees -- turned up no red flags, Stern said. Donaghy made \$260,000 last season, his 13th in the NBA, and owns a home in Bradenton, Fla., that is for sale at an asking price of \$1.35 million.

*Staff writer Robert Kessler contributed to this story.*

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**DAILY NEWS**

## We made a bad bet on rogue ref

### Stern says NBA probe of zebra came up empty after '05 FBI tip

BY TAMER EL-GHOBASHY in Bradenton, Fla.  
and JOHN MARZULLI and RICH SCHAPIRO in New York  
DAILY NEWS STAFF WRITERS

Wednesday, July 25th 2007, 4:00 AM

- [Full text of David Stern press conference](#)

An embarrassed NBA Commissioner David Stern admitted yesterday his own probe of a rogue referee failed to turn up any evidence the official had a gambling problem.

Speaking publicly for the first time since ref Tim Donaghy was implicated in the betting scandal, Stern acknowledged the NBA was tipped off in 2005 that Donaghy had been gambling at the Borgata casino in Atlantic City.

He said the NBA probe, revealed exclusively by the Daily News on Monday, turned up nothing.

"We checked not only the Borgata, but every casino in Atlantic City and in Las Vegas to determine whether he had any presence in any of those places," Stern said. "All of our investigation came up negative."

NBA refs are strictly prohibited from gambling or even entering casinos.

Donaghy, 40, is now the target of a federal investigation for allegedly betting with mob-connected bookies on games, including some he officiated, over the past two seasons.

Stern called the scandal that has rocked the NBA the "worst situation" he has faced in his 23 years as commissioner.

But Stern called Donaghy a "rogue, isolated criminal," saying he appeared to be the only referee to have bet on games.

"I feel betrayed by what happened on behalf of the sport," said a downcast Stern. "This is not something that is anything other than an act of betrayal of what we know in sports as a sacred trust."

Stern said he launched his own probe in 2005 after the NBA learned that Donaghy, who lives in Bradenton, Fla., was being sued for harassment for allegedly terrorizing his former neighbors in West Chester, Pa.

The probe, conducted by a private investigations firm retained by the league, turned up betting allegations it could not verify.

Still, the league was dismayed enough by Donaghy's alleged off-the-court conduct - he was accused of trying to light a neighbor's tractor on fire, among other things - that it quietly cut short his season after the first round of the playoffs.

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Stern said the league received no reports of any problems after Donaghy's move to Florida until June 20 - when the feds called and told NBA officials the ref was being investigated for betting on games and disclosing insider information during the past two seasons.

The call shocked Stern, who said the league closely monitors the game's officials. "I can't believe it's happening to us," he recalled thinking.

Stern met with the feds the following day and concluded that Donaghy should be fired. But FBI officials said canning the ref could hinder the probe.

Donaghy, who earned \$260,000 last year, quit on July 9.

He is expected to surrender to the FBI by next week and plead guilty to gambling charges, sources close to the investigation said.

The disgraced ref, who has remained hidden from view since the scandal broke last week, yesterday told reporters through the door of his Florida home that he had no comment.

When asked who he was, Donaghy replied, "I'm the butler."

[jmarzulli@nydailynews.com](mailto:jmarzulli@nydailynews.com)

With Mike Jaccarino and Christina Boyle

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## DAILY NEWS



Filip Bondy

## A ref could foul it all up

### Stern sees his league and legacy on the line

Wednesday, July 25th 2007, 4:00 AM

- [Read Filip Bondy's The Daily Blahg](#)
- [Full text of David Stern press conference](#)

The tightrope was thinner than usual, higher than customary. The legacy of David Stern - podium acrobat, tax attorney and NBA commissioner - was now in the hands of the very man he so publicly scorned.

"We think we have a rogue, isolated criminal," Stern said, about Tim Donaghy. Stern used those words, "rogue," and "isolated," again and again. "Tim Donaghy is the only referee alleged to have bet on NBA games."

That was going to be the spin, the extended finger roll for this press conference yesterday. One rotten apple doesn't spoil the whole Brady Bunch. At one point, Stern even gave TV cameras the perfect title for a 30-minute Fox show, "When Rogue Employees Turn."

Nothing could have been done to stop this single evildoer, Stern insisted, yet he would revisit all security policies immediately. Meanwhile, he would go back to hugging his people, including the refs. Stern was off to the NBA family picnic next, "to assure them the sun is definitely going to rise tomorrow."

It was a good, somber show, a smart tactic, and maybe the league will survive this gambling scandal in the end. Stern has always known how to ride the horse in front of him. Once, back in 1984, it was a brilliant steed named Michael Jordan. Now it's a nasty bronco that requires tough talk. The commissioner kept naming agencies and their ex-personnel who are now working on his side, one scarier than the next: Secret Service, FBI, U.S. Army, police officers. He was missing only the Transformers.

But there was real sweat behind Stern's navy blue tie this time, because not even the commissioner knows for sure whether Donaghy will be naming anymore names, pointing a crooked finger at more corrupt officials. If that happens, as they might say in Vegas, all bets are off.

We have here two very different scenarios to consider, which is what makes the whole tale so fascinating and suspenseful. Assuming Donaghy is guilty of these gambling charges, he is either a mere louse on the loose or he is part of a corrupt league fabric that will diminish cable ratings to Arena Football levels.

Stern wants us to believe the former. As proof, Stern offers in coy, reluctant fashion the life story of an apparently short-tempered, litigious, overpaid (\$260,000!) and reckless referee named Donaghy who warred with his neighbors in Pennsylvania and aroused suspicions two years ago of gambling forays in Atlantic City.

Those suspicions were not proved, so no definitive action was taken. But Donaghy was a naughty, naughty ref, and was sent to his room for a timeout during the second round of playoffs the last two seasons. Yes, he officiated Game 3 of Suns-Spurs on May 12, a key conference semifinal matchup. Yes, he was near the top of the table

DONAGHY-2160

among officials when it came to fouls called.

But now, he's gone and all is well. The cancer has been removed and the patient, the NBA, has a new television contract.

Then we have the other possible reality, the one that Stern will deny until the day it may become established fact. In this broader pratfall from Eden, Donaghy is just part of a large gambling nexus that has entangled several referees in recent years. And if this is true, then the whole league blows up around Stern. Everything he has built comes tumbling down. Nobody will ever want to talk to him about his salary cap again.

Frankly, you would not want to rely on Donaghy right now for your own reputation. He is backed into a corner, and doesn't sound like the sort of fellow to surrender without a grapple or a deal. If there is a branch offered him before he is sucked down into the legal abyss, he is likely to grab for it with an iron hand.

For now, Stern remains the true believer. He wants the world to be filled with smiling Dick Bavettas, forever gracious, modest and fair. He is aching, yet hopeful.

"I can tell you this is the most serious, worst situation I've ever experienced," he said. "I feel betrayed by what happened on behalf of the sport. I can't believe it's happening to us."

Stern headed off to the picnic. Donaghy is just an ant in the basket, or he is the monster that devoured a legacy. Beware the whistle-blower.

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The Bradenton Herald (Florida)

July 25, 2007 Wednesday

**SECTION:** FRONT; Pg. 1

**LENGTH:** 781 words

**HEADLINE:** Manatee cries foul over ref scandal

**BYLINE:** MAURA POSSLEY, [mpossley@bradenton.com](mailto:mpossley@bradenton.com)

**BODY:**

Reporters from local and national news outlets remained camped outside the Lakewood Ranch Country Club home of former NBA referee Tim Donaghy on Tuesday, waiting to see when the embattled subject of an FBI investigation would turn himself over to authorities.

It is not known whether Donaghy remains at his home - he moved to Bradenton from West Chester, Pa., in 2005 - but court documents unsealed Monday in New York, where the case will be prosecuted by the Brooklyn U.S. Attorney's Office, said he could surrender as early as Thursday.

The New York Daily News reported Tuesday that Donaghy might not turn himself over to authorities until late next week, a delay blamed on the negotiation of a plea agreement his lawyer, John Lauro, has told the NBA his client is considering.

Calling it "the most serious situation" ever faced by the league, NBA commissioner David Stern called Donaghy a "rogue, isolated criminal" during a news conference in New York on Tuesday morning.

Authorities are examining whether Donaghy, 40, made calls to affect the point spread in games on which he or associates had wagered thousands of dollars over the past two seasons.

An NBA referee for 13 years until his resignation July 9, Donaghy had a gambling problem and was approached by low-level **mob** associates through an acquaintance, a law enforcement official told The Associated Press. The Daily News has reported that a grand jury expects to indict at least two mobbed-up gamblers with **mob** ties in the scheme.

There was little apparent activity inside Donaghy's home Tuesday and repeated attempts to have someone answer the front door were unsuccessful. At one point, a man resembling Donaghy poked his head out the front door, only to quickly return inside.

No vehicles were in the driveway, although many cars cruised Dominion Lane, hoping to get a glimpse of the scene. Several motorists were seen shaking their heads, and others slowed to a crawl, rubbernecking before turning around and making another pass.

The "For Sale" sign in the home's front yard has been removed, although the house remains on the market. There were no signs of patrol cars or extra security at the home, after the Manatee County Sheriff's Office responded over the weekend to threatening phone calls made to the home.

Around Lakewood Ranch, residents were buzzing about the affair, including perhaps the community's most famous resident.

DONAGHY-2163



ESPN college basketball analyst Dick Vitale, who lives not far from the Donaghy residence in Lakewood Ranch Country Club, said he hoped the NBA was dealing with an isolated incident.

"I hope the public doesn't indict everyone for the actions of one," Vitale said. "There's a lot of great (officials) out there. . . . I feel bad for the guys who do the job right.

"People have to understand, and I believe, that this is an isolated incident. It will be a real, real nightmare if there's more people involved."

But you didn't have to be one of basketball's most famous faces to understand the gravity of the situation. From Vitale to more casual fans, plenty of people in Lakewood Ranch have opinions about their suddenly notorious neighbor.

"It's wrong of him to do it, especially the games he officiated," said Brittany Bargar, a 17-year-old Lakewood Ranch High student. "We would never have thought it would be him, living in Lakewood Ranch with a lot of money and all."

Bargar, a shooting guard for the Mustangs who has played basketball for 11 years, is a regular at Lakewood Ranch's Broken Egg restaurant, where she met Donaghy last fall.

"I think he should get in trouble, big trouble," said Bargar, who hopes to play college basketball.

Mike Kelley, a Rowlett Magnet Elementary teacher, volunteers as a coach at Sarasota Youth Sports, a basketball league where Donaghy, he said, is on the board of directors.

"It's unacceptable, especially if he's working with kids," Kelley said. "That's a major thing, especially if the mob's involved."

Seventeen-year-old Jake Stebbins, clad in a Miami Heat jersey, said the news calls into question the outcome of some NBA games, especially in the postseason. Donaghy has been a referee in 772 regular-season NBA games over the past 13 seasons. He also worked 20 playoff games, including five last season.

He officiated 131 games over the past two regular seasons - the dates in which the FBI alleges he bet on games.

"It's not fair if it's actually true," said Stebbins, who has played basketball as a teen, including three years as a guard for Bayshore High. "I'm a big NBA fan. If he's refereeing some of those games (and gambling), it's just cheating and wrong." - *Herald staff writers Rebecca Blue, John Lembo and Douglas A. Kaid contributed to this report.*

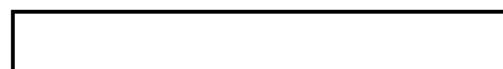
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The New York Times  
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FROM DIRECTOR  
DANNY  
BOYLE

July 25, 2007

## Monitoring of Referees Comes Under Scrutiny

By ALAN SCHWARZ

As David Stern concluded his news conference at a Manhattan hotel yesterday, discussing for 72 minutes what the N.B.A. knew about a suspected betting scheme involving one of its referees, he pledged to re-evaluate how referees are monitored on and off the court.

"What we do will be completely transparent," he said.

Yet in the four years that the N.B.A.'s current referee-evaluation system has operated, it has been anything but transparent, several N.B.A. referees said this week. The N.B.A. records every call by its referees, from personal fouls to three-second violations to double dribbles, as well as the instances when a potential call is missed. The league assigns one person to each of its 30 arenas, many of them former referees, to monitor the games in real time and cross-check the information afterward on videotape.

The data is collected and analyzed by the Segal Company, an actuarial consulting firm based in New York, which identifies rates of made and missed calls by officials. The findings are reviewed with referees by the league's executive vice president, Stu Jackson; its director of officials, Ronnie Nunn; four supervisors working under them; and the 30 game observers.

In an interview in April, Jackson cited three-second calls as an example of how the system works, saying the league could identify which referees were outside the norm in making that call.

"It may be because of his positioning on the floor that we identify by video," Jackson said. "It may be because of a specific mechanic that he doesn't employ that we can correct and improve his accuracy."

Stern said yesterday that the system existed primarily for referee development and not to uncover patterns that might suggest point-shaving.

"That is not to say that if something unusual popped up, we wouldn't pursue it," he said. "But it was not predominantly developed as a screen for criminal activity." He added that the system

DONAGHY-2166

detected nothing suspicious about Tim Donaghy's performance in recent seasons, and that in fact Donaghy was ranked "in the top tier of accuracy" when it came to blowing the whistle. Donaghy is being investigated for gambling on games and associating with organized crime figures.

Access to the evaluation system was clearly limited. Several N.B.A. referees said in interviews this week that they had been frustrated at not receiving data and other specific evidence to explain their tier ratings. They said that their repeated attempts to get hard numbers or see video of specific plays had been rebuffed by Jackson and those working under him.

"They came to me and said my call percentage was down, so I'm like, 'O.K., which calls did I miss?'" said one veteran referee, who spoke on condition of anonymity because officials were prohibited to speak with the news media. "And Stu said, 'We can't tell you that.' They won't tell you anything. They just throw a bunch of numbers at you and say, 'You need to get your percentages up or down.' It's just a big secret."

N.B.A. referees are generally told whether they rate in the top third, middle third or bottom third of various categories, like missed traveling violations. These rankings are used for both hiring and firing decisions, regular-season game assignments and selection for playoff rounds, which are a considerable source of extra income for referees.

Another official said: "I've asked Stu, 'For me to not know the stats, how can I improve? Show me the plays.' He'll say: 'Your three seconds are low. We don't know if you missed any, but you're below average.' Well then why do you say I missed them?"

"By controlling the data, they control us."

N.B.A. general managers and team owners are not allowed to see the league's referee statistics, several people familiar with the rating system said. Three months ago, while disputing an academic study that said white and black referees called fouls at varying rates on players of different races, Joel Litvin, the N.B.A.'s president for basketball operations, defended keeping the information private.

"Even our teams don't know the data we collect as to a particular referee's call tendencies on certain types of calls," Litvin said at the time. "There are good reasons for this. It's proprietary. It's personnel data at the end of the day."

Litvin declined comment while leaving yesterday's news conference.

The N.B.A.'s system of monitoring in-game officials contrasts with that of Major League Baseball.

According to one major league umpire, who spoke on condition of anonymity because he did not want to appear to be speaking about Donaghy or N.B.A. policy, umpires receive and review great amounts of information regarding their performance. Most of it, he said, involves percentages of correct ball and strike calls as determined by QuesTec, the computerized video system Major League Baseball has installed in more than 10 parks. QuesTec grades are used for grading but not evaluated for job retention.

The umpire said that he and his colleagues were routinely given computer disks from Major League Baseball that break down their percentages for any game that QuesTec cameras recorded. Umpires that fall below 90 percent accuracy do not meet the minimum standard. If an umpire falls below that level, the league office works with him to improve his calls. The umpire said that the disks also included video from several angles, as well as video replays for other decisions — like calls at bases — for the umpires to review.

"I think it's now a good thing," said the umpire, referring to how umpires originally objected to the system as imperfect and intrusive. "The staff has accepted it. We're our own worst critics. We want to get the calls right."

In the National Football League, calls are monitored every week. Mike Pereira, the league's vice president for officiating, spends game days in the league's officiating control center monitoring every game on high definition televisions. On Monday mornings, Pereira provides Commissioner Roger Goodell with a tape of critical or questionable plays. Later in the week, Pereira and other supervisors grade the officiating crews. Individual refs are then told of their mistakes, and those instances are discussed.

*Clifton Brown and Murray Chass contributed reporting.*

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The New York Times  
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FROM DIRECTOR  
DANNY  
BOYLE

July 25, 2007

## A Somber Stern Surveys the Damage to the N.B.A.

By LIZ ROBBINS

Against a stark backdrop devoid of the customary N.B.A. logo, and in tones both measured and humble, David Stern told reporters yesterday that the federal investigation into a suspected betting scheme involving a league referee was the worst moment he had encountered in four decades as an N.B.A. fan, lawyer and commissioner.

Standing alone on a podium for 72 minutes, Stern for the first time addressed the damage the league has sustained since Friday. It was disclosed that day that the referee Tim Donaghy was being investigated for betting on N.B.A. games over the last two seasons and providing information to other individuals so they could profit by betting.

Stern has been commissioner of the N.B.A. for 24 years, the longest reign in any of the country's four major sports leagues, and he is now encountering a problem that perhaps overshadows the issues of steroid use in Major League Baseball and off-the-field misconduct in the National Football League. As troublesome as those issues are, the allegations surrounding Donaghy leave Stern and his league trying to defend the basic integrity of their sport.

"We take our obligation to our fans in this matter very, very seriously," Stern said at a news conference in a Midtown hotel. "I can tell you that this is the most serious situation and worst situation that I have ever experienced either as a fan of the N.B.A., a lawyer for the N.B.A. or a commissioner of the N.B.A."

Stern appeared willing to add whatever clarity he could to the Donaghy situation. He said the league learned June 20 that the F.B.I. had been investigating Donaghy, a 13-year veteran, for betting on games that he worked, for possibly betting on other N.B.A. games and for providing information to others. He indicated that he wanted to fire Donaghy immediately but was asked not to do so because it would interfere with the federal investigation.

Stern was more circumspect as to whether Donaghy was suspected of trying to affect the outcomes in games in which he was one of the three referees on the court, although he did say that any referee betting on a game "lost the benefit of the doubt." He seemed to indicate he could not say more on that subject because of restrictions posed by a continuing investigation.

DONAGHY-2170

Stern also stated several times that he did not believe that the F.B.I. investigation involved any other referee besides Donaghy.

Donaghy, 40, has not been arrested, although he is expected to turn himself in to federal authorities shortly. When Stern was asked why he was publicly speaking about Donaghy when he had to be yet charged with a crime, he paused for several moments, then said, "His lawyer informed us that he's contemplating a plea on that subject."

John F. Lauro, Donaghy's lawyer, declined to comment yesterday. Several people with knowledge of the case said Donaghy's surrender had been postponed and would not occur for another week to 10 days.

Stern said the league had not yet investigated film of the 139 regular-season games, 8 playoff games and 4 preseason games that Donaghy worked over the last two seasons to determine what Donaghy might have done to affect their outcome.

"I don't know the number of games, I don't know which games, and until this moment, I have not deployed a substantial amount of people to do the work to satisfy us because I felt constrained by the F.B.I.'s request not to communicate this to anybody," Stern said.

A substantial part of the news conference was devoted to the fact that the league investigated Donaghy's off-court behavior two years ago and let him continue working, a revelation that has become both vexing and embarrassing for Stern.

Stern told reporters that the league had investigated Donaghy in 2005 because of a dispute with his neighbors, Peter and Lisa Mansueto, of West Chester, Pa.

The Mansuetos accused Donaghy of stalking, setting fire to their lawn mower and driving Peter Mansueto's golf cart into a ravine. In addition, an accusation arose that Donaghy had been seen gambling at the Borgata, an Atlantic City casino, in what would be a violation of the league's rules for referees.

Stern said the N.B.A. summoned Donaghy to a meeting at league offices. Even though Stern said that Donaghy protested that he "was the person that was being harassed by his neighbor," the N.B.A. was sufficiently upset by his actions to restrict his participation in the 2005 playoffs.

"We told him if it continued, he would no longer work for the N.B.A.," Stern said.

Meanwhile, Stern said, the investigation, which was conducted by a private firm, the Arkin Group (one of whose co-founders, Jack Devine, is a former C.I.A. official) uncovered no



evidence that Donaghy had gambled at the Borgata, elsewhere in Atlantic City or in Las Vegas.

Donaghy later moved to Bradenton, Fla.

Stern insisted that the league's background checks during the 2005-6 season and 2006-7 seasons — the period now linked to the betting scheme — revealed nothing suspicious about Donaghy's actions. Nor were there further allegations from neighbors or anyone else against Donaghy, he said.

Yet the question lingered. How did Donaghy continue to work to the point that he is now accused of behavior severely damaging to the league's image? How did the league's four-year-old monitoring process of every game decision by every referee fail to detect anything suspicious?

Stern acknowledged that he was asking himself the same questions.

"Yes, I'm surprised," he said, "but I think no more surprised than the head of the F.B.I., the head of the C.I.A., that rogue employees turn on their country in criminal activity despite the best investigative procedures you can possibly imagine."

Stern said he and his fellow league executives — all of whom sat in the front row at the news conference — sometimes discuss the impact of gambling on other sports and noted that he was 8 years old when a point-shaving scandal rocked college basketball more than half a century ago.

Now it is the N.B.A.'s turn to deal with a gambling scandal. And when the F.B.I. called him June 20 to give him the bad news, Stern said his reaction was: "I can't believe it's happening to us."

*William K. Rashbaum contributed reporting.*

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# NEW YORK POST

## COMMISH RIPS 'TRAITOR' REF

By JENNIFER FERMINO

July 25, 2007 -- NBA Commissioner David Stern said he felt betrayed by the "rogue" referee embroiled in the sweeping gambling scandal and yesterday likened him to devious traitors who "turn on their country."

"This is the most serious situation and the worst situation that I have ever experienced either as a fan of the NBA, a lawyer of the NBA or the commissioner of the NBA," Stern said.

In his first spoken comments since The Post broke news of the scandal last Friday, Stern said that he believes disgraced hoops official Tim Donaghy will be the only National Basketball Association employee implicated in the debacle.

Federal investigators are probing Donaghy's alleged betting on games he officiated and his dealings with known mobsters.

"On the basis of my understanding, it's an isolated incident," Stern said at a Manhattan press conference.

Stern admitted he was taken aback by the referee revelations.

"I'm surprised, but I think no more surprised than the head of the FBI, or the head of the CIA, that rogue employees turn on their country in criminal activity despite the best investigative procedures you can possibly imagine," he said.

"This is not something that is anything other than an act of betrayal of what we know in sports as a sacred trust," he added.

The federal criminal investigation encompasses the 2005-06 and 2006-07 seasons, Stern said. During that time, Donaghy reffed 139 regular season games, eight playoff games and four preseason games, he said.

The FBI first contacted Stern on June 20 to discuss the probe into Donaghy, he said.

He said the NBA didn't fire Donaghy - even though it wanted to - because the league feared it would influence the investigation. Donaghy quit July 9.

"His lawyer informed us that he's contemplating a plea," Stern said.

Donaghy, who is not expected to surrender to federal authorities in Brooklyn until next week at the earliest, stayed inside his Bradenton, Fla., house yesterday.

He peeked out late yesterday, and quickly scanned the street before closing the door.

Donaghy, who is expected to plead guilty to federal gambling charges and cooperate in the ongoing investigation, was the target of two telephone death threats to his house Sunday. Two of his gambling pals, identified as bookies, are also expected to be arrested.

DONAGHY-2174

The NBA had launched an investigation of its own into Donaghy in 2005, Stern said, when league officials learned about a lawsuit against him alleging "a pattern of public harassment" filed by his neighbors.

In the suit, the neighbors claimed he cursed at them, set their tractor on fire, and drove their golf cart into a ditch.

Donaghy denied the allegations, but in the course of that investigation, someone said he'd gambled at the Borgata casino in Atlantic City.

"All of our investigation came up negative" on those charges, Stern said.

Stern vowed that the NBA would initiate an inquiry into Donaghy's conduct as a ref.

"We will have the opportunity to review Mr. Donaghy statistically, and by video," he said.

*With James Fanelli in Bradenton, Fla., and Stefanie Cohen and Fred Kerber in New York*

[jennifer.fermino@nypost.com](mailto:jennifer.fermino@nypost.com)

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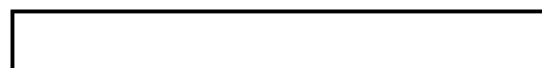
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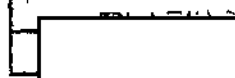
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# NEW YORK POST

## DEPTHS OF 'FIX' MESS YET TO BE REVEALED

By MIKE VACCARO

July 25, 2007 — OURS is a city still scarred by the lingering stains of gambling scandals, still reeling, all these years later, from the betrayals of the bettors. Once, New York was the center of the basketball universe, the Garden was its smoky Parliament.

The gamblers, and their hired-help point shavers, ruined that, forever.

"You think the Big East Tournament is a big spectacle?" a man named Al Roth once asked me. "Son, you should have seen what it was like at the Garden on doubleheader nights, back in the day."

In the spring of 1950, Roth and his CCNY teammates won the NIT and NCAA basketball tournaments, a feat never duplicated. In the winter of 1951, they were exposed as fixers. College basketball has never been the same in New York.

As a young lawyer, NBA Commissioner David Stern dealt with the fallout from the next wave of gambling outrages that sullied the '60s. He knows the damage such scandals supply, real and collateral.

"I'm very aware of this subject," Stern said yesterday.

"And it is my hope that the NBA will be similarly accorded the benefit of the doubt based upon what we have done . . . and what we pledge to continue to do."

That is how he has to feel. It's not only his league's credibility sitting firmly on the firing line, but Stern's own legacy.

The Tim Donaghy fiasco is now the central issue on his watch.

Stern tried hard to paint Donaghy as a one-man cowboy, a "rogue," an "isolated case."

"The system," he said, "should have been better."

But the truth is, Stern can't know what Donaghy is going to do, a desperate man trying to spare himself a jail cell. Most point-shaving incidents go undetected, fewer end up in convictions.

Except in the court of public trust. He'll have to wait on that verdict. Stern must understand: the gamblers will always lurk in shadows. They always have.

The man responsible for Stern's involvement in the scandals of the '60s, Jack Molinas, was banned from the league in 1954 for betting on games he played in. Officials have long told of being approached by crooks and cheats.

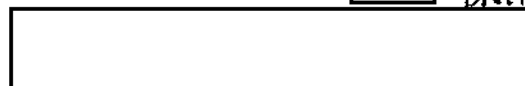
Stern has some work ahead of him, winning back the public faith. Stern can hope it ends better than it has for college hoops in New York. But he really can't know.


[michael.vaccaro@nypost.com](mailto:michael.vaccaro@nypost.com)

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## Neighbors loved and disliked referee Donaghy

BY BARBARA BARKER

barbara.barker@newsday.com

July 25, 2007

The kids at Don Guanella could always count on Tim Donaghy. At Christmas, he would show up with his arms full of presents for the students at this school for developmentally-challenged boys in suburban Philadelphia. In the summer, he would bring in half a dozen other NBA officials for a clinic that also included pizza and goodie bags filled with NBA souvenirs.

"Everyone is making Tim out to be some sort of monster, but he had another side," Robert Neely, the school's activities director and a friend of the embattled former NBA referee, said yesterday. "He was really, really good with the kids. I never saw the hot-tempered guy everyone has been talking about."

As it turns out, it is not all that easy to get a read on the man who stands in the middle of the biggest officiating scandal in NBA history.

Before it came to light last week that the FBI was investigating whether Donaghy, 40, had wagered on league games, including those he had officiated, he was a relatively obscure 13-year NBA veteran whose biggest claim to fame was an altercation with Rasheed Wallace in 2003 that led to Wallace's seven-game suspension. Now, with reports that he had run up gambling debts and was involved with organized crime, Donaghy is being painted as a larger-than-life hothead who feuded with his neighbors, gambled in Atlantic City and was an accident waiting to happen.

Turns out the NBA's worst nightmare began years ago in suburban Philadelphia with a kid's dream.

Donaghy, a basketball and baseball star at Cardinal O'Hara High School in Springfield, Pa., never dreamed of being a professional athlete. Rather, he wanted to follow in the footsteps of his father, Gerald Donaghy, a college officiating legend who worked for years in the ACC. He wanted to be like his uncle, Bill Oakes, a longtime NBA official.

He wanted it so badly that he took a job as a part-time worker at a funeral

DONAGHY-2179



home after graduating from Villanova because it fit in with his high school refereeing schedule. He wanted it so badly that he jumped at a chance to work in the old Continental Basketball Association when he was 23. He had wanted it so badly that when the NBA hired him at age 27, it almost seemed pre-ordained.

"He's good," an obviously proud Gerald Donaghy told the Delaware County Times shortly after he began his NBA career. "Tim always knew what he wanted to do."

The NBA referee fraternity is a small one and Donaghy was a member of a tight subset of officials from the Philadelphia area. Last season, seven NBA referees - Joe Crawford, Mike "Duke" Callahan, Eddie Malloy, Mark Wunderlich, Steve Javie, Tom Washington and Donaghy - were from that area. Four of them - Callahan, Crawford, Malloy and Donaghy - were Cardinal O'Hara graduates.

The officials spent time together in the offseason, having dinner with their spouses or significant others before the start of each season. Crawford, the elder statesman, would have them over his home to study and discuss the rules and any changes that would be made. And many of them participated in Donaghy's clinic at Don Guanella.

Younger than most in the group, Donaghy seemed to be living a charmed life. He married an attractive flight attendant whom he met while he was on the road for his job. The two had four daughters, bought a house in upscale West Chester, Pa., and joined a country club. Yet, according to a lawsuit filed by a neighbor in 2005, there was a bit of Wisteria Lane going on in this four-home cul-de-sac.

In the lawsuit, Peter and Lisa Mansueto accused Donaghy of stalking them, setting fire to their lawn mower and driving their golf cart into a ravine. The Mansuetos did not return a message left on their answering machine yesterday. In Monday's USA Today, Peter Mansueto characterized Donaghy as "a very confrontational guy, adding that "he's a bizarre person, but also can be a very charming person."

The civil suit was no longer pursued after Donaghy moved his family to Brandenton, Fla., in 2005. It was enough, however, to get the attention of the NBA. Commissioner David Stern said in his news conference yesterday that the league had hired investigators to look into the incidents. Though Donaghy told the league that he was the wronged party, the NBA was upset enough that he wasn't allowed to officiate the second round of the 2005 playoffs, Stern said.

He also said that investigators had looked into allegations at the time that Donaghy had gambled at an Atlantic City casino, but found no evidence that

that was the case after contacting every casino in the city. League rules prohibit officials from even entering a casino, though they are allowed to bet at the racetrack, Stern said.

After the family moved to Florida, Neely began to lose touch with Donaghy. The referee was unable to attend last summer's clinic, though the tradition went on as Donaghy made sure officials who still lived in the area came. This summer's clinic is scheduled for Aug. 6. Early last week, before the news of the scandal broke, Neely had been told by several officials that they would attend. He had not talked to Donaghy.

"I don't know what kind of trouble he got into. The whole thing is mind-boggling," Neely said. "I've known him for 10 years, and he was the one that helped get this whole thing started."

Neely then paused before adding, "I don't know what I'm going to tell the kids."

Tim Donaghy

Age: 40 (Jan. 7, 1967) | Home: Bradenton, Fla.

NBA officiating experience: 13 years, 772 regular-season games, 20 playoff games.

Notable relatives: Father, Gerald, was a long-time ACC referee. Uncle is former NBA official Bill Oakes.

Notable officiating ties: Donaghy, Joe Crawford, Eddie Malloy and Mike "Duke" Callahan all graduated from Cardinal O'Hara High School in Springfield, Pa.

Notable games: One of three officials on duty the night of Nov. 19, 2004, brawl at the Palace of Auburn Hills ... Involved in an argument with Rasheed Wallace after a 2003 game in Portland. Altercation resulted in a seven-game suspension for Wallace ... Worked the Heat-Knicks game in New York in February when the Knicks shot 39 free throws to the Heat's eight. The Knicks, favored by 4 1/2 points, won by six.

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**DAILY NEWS**

Exclusive

## Rogue ref's bookies old HS chums

BY MIKE JACCARINO *in Harverton, Pa.,*  
and JOHN MARZULLI and BILL HUTCHINSON *in New York*  
DAILY NEWS STAFF WRITERS

Thursday, July 26th 2007, 4:00 AM

Two catholic high school chums of disgraced referee Tim Donaghy have been identified as the bookies in a gambling scandal rocking the NBA, the Daily News has learned.

But the two bet-takers apparently exaggerated their Mafia connections. "They're nobodies," a law enforcement source said.

The mob wanna-bes attended Cardinal O'Hara High School in Springfield, Pa., with Donaghy, who was a varsity standout on the school's basketball and baseball teams. Donaghy, 40, has become the focus of the federal investigation into bets he allegedly made on NBA games, including some he officiated.

The veteran referee, who earned \$260,000 a year for whistling fouls on the hardwood, allegedly gave the bookies advance word on officiating crews of games they planned to take action on, the source said.

Donaghy is expected to surrender to the FBI by next week to plead guilty to gambling charges, federal sources have told The News. An educator at Cardinal O'Hara, who requested anonymity, confirmed the feds have identified two alums of the school as the bookies. He said both men graduated a couple of years ahead of Donaghy.

One of the men named by the school source refused to comment when contacted yesterday by The News.

"I'm not talking about anything," the man said. "Don't come on my property at all."

Donaghy has been holed up inside his two-story home in Bradenton, Fla., refusing to make any statements and claiming to be "the butler" when reporters knock on his door.

Known as a hothead, he apparently turned his lawn sprinklers on a freelance photographer for The New York Times yesterday, drenching the shutterbug for getting too close to the hedges outside his house.

With Tamer El-Ghobashy

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## Telephone could ring up charges in NBA case

BY ANTHONY M. DESTEFANO

anthony.destefano@newsday.com

July 26, 2007

Brooklyn federal prosecutors have a number of laws, including some from the days of the Boston College point-shaving scandal, they might use to bring charges in the NBA betting scandal surrounding referee Tim Donaghy.

The statutes run from bans on transmitting betting information over the telephone - punishable by up to 2 years in prison - to the draconian racketeering conspiracy laws with 20-year sentences.

While NBA commissioner David Stern said earlier in the week that he was told by Donaghy's defense attorney that the ex-referee expected to be arrested, it is still unclear as to what the charges might be.

Sources have told Newsday that there was no evidence so far that Donaghy was involved in point shaving, the crime charged in the 1980s Boston College case prosecuted in Brooklyn federal court. That case led to the convictions of four men, including reputed mob associate James Burke.

"Federal laws against illegal gambling don't ordinarily penalize the customers," said former state prosecutor James DiPietro, now a Brooklyn defense attorney.

"A sports bettor is not committing a federal crime unless he places the wager using a telephonic device, and it has to be interstate," said DiPietro, adding that it is an absolute defense in state court that a person was simply a bettor.

But if Donaghy or anybody else placed bets using the telephone to call out of state, the penalty could be up to 2 years in prison, according to the federal criminal code.

Sources have also told Newsday that Donaghy may have provided information to gamblers about the condition of players and referee assignments. If that were true and if he accepted payments from gamblers, he could be at risk for prosecution under federal laws barring interstate travel with intent to commit bribery, another law used in the Boston College case.

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Any gamblers being scrutinized by Brooklyn prosecutors - and sources told Newsday two South Jersey gamblers are expected to be arrested - they could face prosecution for being involved in an illegal gambling business if it involved more than five people and grossed \$2,000 in any day. The penalty is up to 5 years in prison.

Law enforcement sources yesterday said that any arrests in the NBA case weren't expected until next week.

"It is on hold," said one law enforcement source, adding that officials are waiting for the media furor to die down.

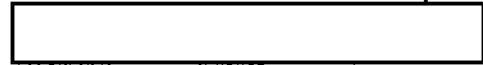
John Lauro, Donaghy's Florida-based defense attorney, didn't return calls for comment.


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## Illegal bookies a big gamble for Stern

Ken Berger  
NBA

July 26, 2007

The questions the NBA faces now are the most frightening ones of all.

How big will it get?

Was anyone other than Tim Donaghy involved?

Will the alleged gambling and unsavory relationships of a single referee mushroom into a wide-ranging, systemic, disastrous point-shaving scandal?

Danny Sheridan doesn't think so, and he knows a lot more about the world of sports betting, bookmakers, offshore betting lines, and efforts to police attempted fixes than David Stern does.

"To have someone cash in for hundreds of thousands of dollars in fixed sports bets over two years? I'd be very, very surprised if that happened," said Sheridan, the sports handicapper who has been setting daily odds for USA Today for more than 25 years. "Possible, but not likely."

It seems tempting to connect dots on a page we can't even see and make the leap from a "rogue, isolated criminal," as Stern called Donaghy, to widespread fraud. But as any gambler will tell you, if it looks too good to be true, it probably is.

"If you try to bet a large amount of money, which is reasonable to assume that people would, you're going to get caught," Sheridan said.

Not caught by Stern, but rather by illegal bookmakers in the 49 states other than Nevada, where legal sports wagering accounts for less than 1 percent of the total sports betting in the country, according to the American Gaming Association.

"How long have you been aware, commissioner, that illegal bookmakers cooperate with your brothers in the NFL and the NCAA?" Sheridan said.  
"You've got to get a relationship with these illegal bookmakers. He's been

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ignoring them and it's come back to haunt him."

If the point spread on an NFL game moves significantly because of money coming in on one side, NFL security talks to bookmakers in Las Vegas - and illegal ones elsewhere, Sheridan said - to find out why.

If they answer the question and continue to take bets on the game, the league knows the game isn't fixed.

Stern said Tuesday that the NBA has long monitored point spreads on its games. The Nevada Gaming Control Board has only once in Stern's tenure alerted him about something suspicious, he said.

But Sheridan believes that Stern historically has avoided such cooperation with illegal bookies. Asked yesterday if that's true, an NBA spokesman declined to comment, citing the ongoing federal probe.

So armed with his suspicions about the NBA, Sheridan wouldn't advise his worst enemy to bet his kids' allowance on pro basketball games. Why?

He cites conversations with numerous bookmakers who generally refuse to accept large bets - those exceeding \$1,000 - for an NBA game at a given point spread. With 82 games among 30 teams, and with Stern's apparent refusal to consult with illegal bookmakers, Sheridan said some in the industry consider NBA games "suspect," meaning they're too hard to monitor for possible fixes.

Sheridan said wagering limits on pro and college football are "at least 20 or 30 times higher" than on NBA games. Fewer games, easier to know what's going on, all televised - and those organizations cooperate fully with bookmakers "to prevent the fixing of sporting events," Sheridan said.

That seems like a sensational accusation to me, and to John Harper, too. Harper, of Las Vegas Sports Consultants, which sets odds for the city's casinos, said most bookmakers will "take the action" on NBA games unless there's a specific reason for suspicion. If betting limits are much higher in the NFL, Harper said it's only because there's more wagering on NFL games.

If Sheridan is right, then Donaghy and his cohorts would've needed to spread their money around to dozens or even hundreds of bookies in hopes of avoiding detection. Harper knows of no previous suspicion in the industry about NBA games.

"There may be now, but there has not been," he said.

But if Stern really wants to get his hands dirty, as he stated, he is going to

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have to roll around in the muck of the sports betting underworld to find out what's really going on. Sheridan believes he's been negligent in that responsibility. If he has, knowing Stern, it won't continue.

"This is the goose that laid the golden egg," Sheridan said. "The NFL knows that. Everybody knows that. There's only one piece of the puzzle missing, and it's the most important piece."

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July 26, 2007

## Donaghy Followed Father's Footsteps, but Took His Own Troubled Path

By JERÉ LONGMAN

SPRINGFIELD, Pa., July 25 — If, as accused, the referee Tim Donaghy bet on N.B.A. games, he undermined the legacy of his father as a referee as well as the venerable basketball traditions of the Philadelphia Catholic League.

Here in the Philadelphia suburbs where Donaghy, 40, grew up, there seems to be only muted sympathy for a man who was described by many as having an abrasive, confrontational personality from boyhood.

On Tuesday, an editorial in Donaghy's hometown newspaper, The Delaware County Times, said that acquaintances knew him as "a feisty competitor and also something of a jerk."

His behavior has led to questions regarding how thoroughly the N.B.A. scrutinized Donaghy's conduct, given much-publicized accounts over the past five days of his legal disputes and clashes with former neighbors. There are also potential discrepancies in his biography contained in the league media guide dealing with referees.

Compassion appears reserved mainly for Donaghy's retired father, Gerry, who was a highly respected collegiate referee in such conferences as the Atlantic Coast and the Atlantic 10, and who officiated four Final Fours in the early 1990s, including the 1992 championship game between Duke and Michigan.

Reached by telephone, Gerry Donaghy said he had no comment.

"I'm sure it's heartbreaking," said Hank Nichols, a friend of the Donaghy family who is the N.C.A.A.'s coordinator of men's basketball officials. "It's such a tragedy for officiating. Players have fixed games. Coaches did this and that. Referees were always above that. Out of the blue, a thunderbolt. It's once in a lifetime, in my lifetime, and it's not good."

It would not have surprised many in this basketball-rich area that Tim Donaghy followed his father into the ranks of men who wore striped shirts and blew whistles for a living. In fact,

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Donaghy was one of four graduates of Cardinal O'Hara High School, in Delaware County, to officiate in the N.B.A. this past season, joining Joe Crawford, Ed Malloy and Mike Callahan, who is known as Duke.

O'Hara participates in the Catholic League, an enduring institution built on faith, strong family ties, generational loyalty and the small-town feel of neighborhood connections, where there always seems to be a guy who knows a guy who may be able to help a guy.

Describing devoted fans at O'Hara games, Frank Fitzpatrick, an alumnus, wrote in The Philadelphia Inquirer on Wednesday: "They are men, many of them Irish, who once played basketball. They played together" or "as opponents on school and C.Y.O. teams in Delaware County's numerous basketball-mad Catholic parishes. They are there because they still love the game. Some sate their passions by coaching the teams they once played for or reminiscing in bars in the neighborhoods where they grew up. Others referee."

Growing up in nearby Havertown, Tim Donaghy possessed familiar basketball passions, but he also appeared driven to the point of combustibility, a small boy who seemed to have the need to prove himself by arguing and picking fights, several acquaintances said in interviews.

He was "always trying to be better than anyone at anything," said Scott Newman, who played pickup basketball with Donaghy. "He was always trying to put people down to make himself look better."

Larry Shane, a former head baseball coach at Villanova, said: "He didn't have a good relationship with other kids on the block. He was a small, frail kid. Maybe he was trying to prove something."

Not everyone had this dour impression. Nichols, the N.C.A.A. coordinator and former head of the department of education and human services at Villanova, said he remembered Donaghy as "always very polite" and "a smart kid."

Michelle Wasserman, a friend from West Chester, Pa., said that after she completed treatment for a drinking problem last year, Donaghy had arranged a dinner in her honor, making sure that no alcohol was served and giving her a \$150 gift certificate for her birthday.

"I think he's a great guy," she said.

Meanwhile, there may be discrepancies on his athletic résumé, as stated in his biography in the media guide.

At O'Hara, from which he graduated in 1985, Donaghy was a starting pitcher, but records indicate he did not make the all-Catholic League baseball team, as the media guide states. As a high school basketball player, he was "athletic" and "worked hard," but was not a starter, according to his coach, Buddy Gardler. Gardler said that Donaghy was not named to the all-Delaware County basketball team, as the media guide states.

The media guide also says that Donaghy played varsity baseball at Villanova. College officials said he might have tried out for the team, but never played for the varsity. The N.B.A. declined to comment Wednesday except to say that information in the media guide was provided by its referees. Still, it was not immediately clear if the incorrect information is also on Donaghy's résumé or was provided to the media guide by someone other than Donaghy.

Donaghy remained tied to sports through refereeing. According to The Delaware County Times, he worked part time in a funeral home while officiating high school games until, at age 23, he joined the Continental Basketball Association. Thirteen seasons ago, at 28, he joined the N.B.A. In a 1998 interview, Gerry Donaghy told the hometown paper of his son's abilities: "He's good. Tim always knew what he wanted to do."

Just as Philadelphia has supplied a stream of coaches to the N.B.A., so has the area produced referees for the league, including two considered among the all-time best — Mendy Rudolph (Philadelphia) and Earl Strom (Pottstown, Pa.). Referees bonded and helped to groom younger referees into the pipeline, said Gardler, the O'Hara coach.

"Guys like Jake O'Donnell and Eddie Rush could help you get in," Gardler said. "They could bring you to a rookie league."

In retrospect, some acquaintances wonder whether Donaghy got his shot more out of deference to his father than out of an appreciation for his own skills. "I would think," said Shane, the former Villanova coach, "that his father is devastated."

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## Union leader says NBA refs will work 'to restore the public's trust'

July 21, 2007

CBS SportsLine.com wire reports

Suddenly, the occasional bad call doesn't seem like such a big deal.

NBA referees' competency has always been criticized. After three high-profile negative stories in the last three months, the questions have shifted to their credibility.

One official was suspended after allegedly challenging an NBA superstar to a fight, and an academic report suggested a bias by referees against players of the opposite race.

Now, most damaging, a referee's at the center of a potential point-shaving scandal.

With the FBI investigating Tim Donaghy for allegedly betting on games that he officiated, confidence in the guys blowing the whistles may never have been lower.

Lamell McMorris, leader of the referees union, said he recognizes the perception of officials has been damaged.

"We are going to work hard to restore the public's trust in the integrity of the officials in the NBA," he said. "We're going to do our part to gain and regain the public trust and confidence and to make sure that this is not the final word regarding how referees are defined in the public eye."

Last year, commissioner David Stern said the NBA had "the best officials, the best-monitored officials, the best-developed officials in all of sports."

But now it's their judgment, not their performance, that needs defending.

Stern plans to do just that at a news conference next week. The NBA and the referees union want to make sure Donaghy, who McMorris confirmed has resigned, is the one taking the heat, not his co-workers.

"Bad apples exist in every barrel," McMorris said. "I've never seen a barrel of apples, grapes, anything, and all of them were in the greatest shape and the most beautiful."

But Donaghy's mess isn't the league's only trouble involving its officials.

Stern had to suspend Joey Crawford, who had worked more postseason games than any active ref, after Crawford ejected San Antonio's Tim Duncan from a game in April. Duncan, who was on the bench laughing when hit with his second technical foul, later said Crawford challenged him to a fight.

Then came details from a study done by Justin Wolfers, an assistant professor of business and public policy at Penn's Wharton School, who found white referees called fouls at a greater rate against black players than against white players.

But a defense came Friday from, of all people, Dallas owner Mark Cuban.

Cuban long has been critical of referees, racking up more than \$1.4 million in fines, mostly for comments about the officiating. That included a \$250,000 hit after Game 5 of the 2006 NBA Finals, when Miami had a 49-25 advantage in free throws attempted, with Dwyane Wade taking as many as the whole Dallas team.

But in a blog entry titled "Calamity as Catalyst -- My Vote of Confidence in the NBA", Cuban wrote: "The NBA took

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a hit today. Behind that hit is a catalyst and opportunity for significant change that could make the NBA stronger than it ever has been. It's a chance to proactively put in place people, processes and transparency that will forever silence those who will question the NBA's integrity."

Cuban declined to discuss what any of those might be, simply saying: "The NBA is fine and will be fine. In fact it will continue to get better" in an e-mail.

It's not clear what affect, if any, the Donaghy allegations will have on the relationship between players and officials, which was contentious early last season after the league ordered officials to call more technical fouls. The players association even filed an unfair labor practice charge with the National Labor Relations Board against the NBA over the crackdown on player complaints.

NBA players in Las Vegas at USA Basketball minicamp have been advised not to say much about the situation. Carmelo Anthony admitted Friday that the allegations "put thoughts in your head" and could make some "start thinking about things that you probably didn't think about before," but Milwaukee guard Michael Redd said Saturday he didn't believe there was a credibility issue.

"I support our league, I support our referees and I support our players," he said.

Still, many officials are highly regarded among players because of their work on the floor. And McMorris expects it to remain that way.

"I think individuals and the public needs to understand that these individuals go out and work hard, they officiate the games to the highest standards and they are men and women of extreme integrity," McMorris said.

"This particular alleged incident is not indicative of the behavior and the demeanor and the personality of the officials in the National Basketball Association."

AP NEWS

The Associated Press News Service

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# All NBA bets off for TV partners

**L**ATE LAST MONTH, ESPN/ABC and TNT decided that investing in the NBA was smart business. The networks decided to shell out a combined \$7.4 billion for new eight-year TV deals.

The suits at ESPN/ABC and TNT overpaid despite knowing NBA TV ratings and viewership over the past five years are in the toilet. Nonetheless, this was of little concern to guys like George W. Bodenheimer, who runs ESPN, or TNT Sports boss David Levy.

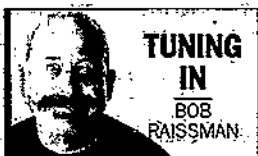
Of course, it also was of no concern to NBA commissioner David Stern. Once again, he was able to get two cable suckers, or executives to pay through the nose for his diminished product.

This time around, Mr. Stern RT Barnumed the cable guys by selling them those all-important NBA enhanced "digital" media rights. Bodenheimer and Levy lapped this up. They went totally gaga over being allowed to buy something no one (at least no one who speaks the truth) knows the actual value of.

The cable suits' spin on this deal sounded like a load of baloney. That's what Bodenheimer and Levy now find themselves sitting on. When the FBI acknowledged it was investigating Tim Donaghy for betting on NBA games, including some he officiated, that \$7.4 billion the cable fellows spent on NBA TV

rights officially became a terrible investment — a huge gamble.

This Donaghy story ain't going away. What's left of the NBA's credibility evaporates with every revelation. By the time the 2007-08 season opens there will be those, no matter how the Don-



aghy case evolves or concludes, who perceive the NBA as a crooked league. If it turns out a pattern of gambling on NBA games by officials is widespread, the league will cease to exist as a legitimate pro sports enterprise.

Levy and Bodenheimer might as well have blown the \$7.4 billion on the WWE.

You think these two suits are wondering when exactly Stern caught wind that Donaghy might have a

gambling problem? Or when the commissioner knew one of his refs may have placed bets on games he officiated? Did Stern know any of this before the TV deal was concluded?

This is another reason why Stern, when he emerges from his Olympic Tower office today and addresses the media, must turn in a command performance. It must be credible, enlightening and somehow establish trust. Stern now has his finger in a dike that is about to collapse and drown the NBA in a flood of suspicion.

It is Stern, widely regarded as a sports marketing genius, who must assuage the fears of his TV partners, fans and those all-important sponsors. Will any corporation, selling quality and reliability, want to associate its product with the NBA? And how exactly does ESPN or TNT try convincing advertisers to spend millions on a tainted sport?

The honchos running these corporations, and the advertising agencies that recommend where they spend their ad dollars, can try to predict the future, but they don't know if this mess eventually will blow over or get worse. The impact of this scandal is beyond anyone's scope. It is headed into uncharted territory.

Corporations signed on for long-term NBA sponsorships, don't know if their products will be damaged

just by being associated with a league under FBI scrutiny.

Media scrutiny will continue, too. The NBA will be covered differently this season. Suspicious minds — the media has plenty of them — will be analyzing, and attaching more meaning, to all critical calls by officials in a league where games are often decided in the final seconds.

The propensity — or lack thereof — of officials making certain calls will be dissected. It would be no surprise if certain outlets keep stats — as now is being done with Donaghy — on officiating tendencies. Referees who have spent a career doing it the right way will be under intense pressure and scrutiny.

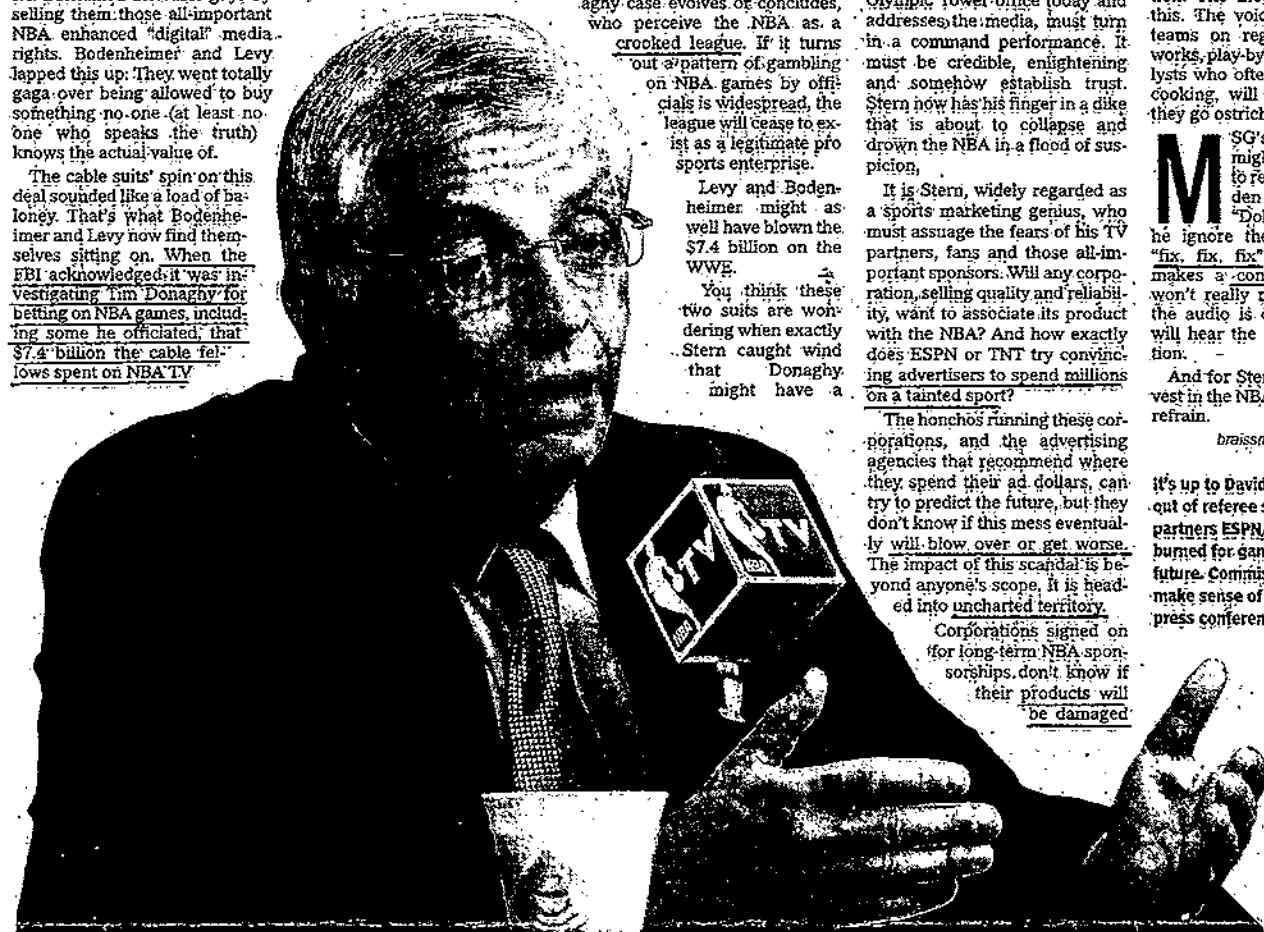
Their motives for making the calls will be part of the conversation. The media cannot ignore this. The voices who work for teams on regional sports networks, play-by-play men and analysts who often engage in home cooking, will look like fools if they go ostrich.

**M**SG's Mike Breen might not be inclined to report when the Garden crowd chants "Dolan \$---" but will he ignore the crowd chanting "fix, fix, fix" after an official makes a controversial call? It won't really matter. As long as the audio is cranked, everyone will hear the fans' blunt allegation.

And for Stern, and all who invest in the NBA, it will be a costly refrain.

braissman@nydailynews.com

It's up to David Stern to lead NBA out of referee scandal as TV partners ESPN/ABC and TNT get burned for gambling on league's future. Commish starts trying to make sense of mess today with press conference. Photo by EPA



1977.  
A year New York City  
would never forget

## The Bronx is Burning

An L-Music Winner's Event

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# NO SURE THING



## Despite precautions, all sports face chance of gambling scandal

BY GARY MYERS AND CHRISTIAN RED  
DAILY NEWS SPORTS WRITERS

THE TIM DONAGHY betting scandal is a professional sports league's worst nightmare — and one that David Stern can't seem to wake himself from.

But what about other major American sports? Could an NFL referee fall victim to the same circumstances that allegedly engulfed Donaghy? How about a home-plate umpire deep in gambling debt?

Stern is expected to address the fallout of Donaghy's betting scandal today at a midtown press conference — the 13-year veteran ref reportedly wagered on games he was officiating. Despite extensive precautions taken by most leagues — including the NBA — to prevent their officials from getting mixed up in the gambling culture, the worst-case scenario sometimes happens.

And could certainly happen again elsewhere. "It's the same old thing. These things are going to happen. Bookmakers, they do the best they can, but they cannot cover everything," gambling expert Jimmy Vaccaro — a Vegas veteran who ran game rooms for more than two decades before turning to PR — told the Daily News last night. "You notify people of something unusual. But how much of a policeman can you be? Things that aren't notified don't get caught. If you see celebrities come in (to a casino), you're not going to ask them in detail what their contract is like or what their code of conduct is."

The NFL takes painstaking measures to ensure that none of its referees gets entangled in gambling webs — everything from periodic background checks on new and veteran officials to strict language prohibiting gambling that is outlined in the collective bargaining agreement for referees to the NFL maintaining "extensive" contacts within gambling circles.

"We retain extensive contacts in the gambling community through NFL security to monitor what is taking place," NFL spokesman Greg Aiello told The News. "It's so we can be alerted if there's any information we need to follow up on. Those contacts are wide-ranging: contacts in Las Vegas, oddsmakers, representatives of casinos, the security reps at casinos and (various) law enforcement."

In addition, the CBA for the league's refs makes clear that any gambling activity is considered taboo. Officials cannot wager on NFL games or "accept a bribe or agree to throw or fix any league game," according to language from the agreement. More telling is the restriction against gambling of any sort by an NFL referee during the calendar year. Referees aren't even allowed to "speak at any engagement or other promotional activities in Las Vegas, Atlantic City, or any other cities where in-house casinos are located."

Aiello also underscored the importance of the NFL not using full-time officials. "One of the benefits we have is that our officials have other careers," said Aiello. "They are professionals. We have educators and business executives who are serving as our officials. It puts us in a strong position to have people of high integrity and who are not relying on officiating game checks to make a living. It adds a level of independence."

NFL officials are "immediately terminated" if they are found to be gambling on any team sport during the year, and are subject to suspensions and fines if



Roger Goodell and the NFL have tackled gambling issues head-on as officials have strict gambling prohibitions written into contracts. Photo by Jeff Zelenvsky/Bloomberg

they enter a casino or race track during the football season.

Major League Baseball officials did not return calls, but America's pastime has suffered its share of gambling black eyes, from the 1919 Black Sox throwing the World Series against Cincinnati to Pete Rose's betting on the Reds seven decades later.

Although the CBA for basketball officials does stipulate that gambling is prohibited during the regular season and playoffs, that didn't stop Donaghy from getting busted for his indiscretions. "Sooner or later, someone makes a mistake and blows the lid off," said Vaccaro. "If there is an unnatural amount of money being wagered, that's a red flag. The next step might be to see if (Donaghy) refereed with same referees and there was any consistency to the amount of calls or fouls made. If so, Stern could have a bigger headache."

— With Frank Isola

### Stern deals with ref mess today

NBA COMMISSIONER David Stern is scheduled to hold a press conference at 11 a.m. today at the Majestic Ballroom in midtown's Westin Hotel to address former referee Tim Donaghy's purported betting on games he officiated.

Donaghy is being investigated by the FBI and has resigned from the job he had for 13 years.

— Red

Disgraced NBA ref Tim Donaghy serves as example to other sports that they shouldn't gamble with precautions. Photo by Ronald Martinez/Allsport

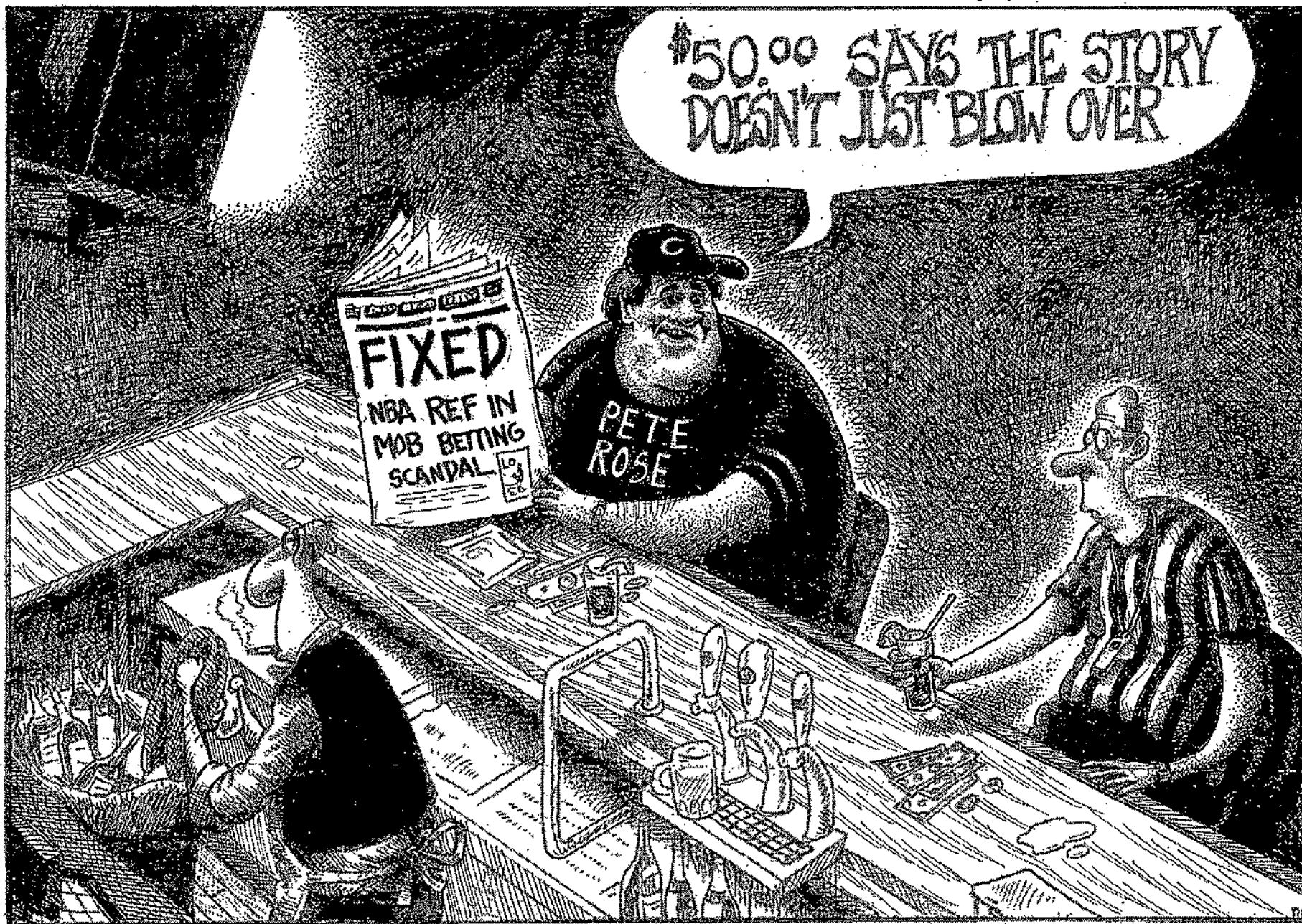
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7/25/07

STAR HEDGER

Cornish calls scandal isolated

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DONAGHY-2203



Commissioner David Stern promised yesterday to take steps to prevent threats to the NBA's integrity such as the current referee gambling investigation.

REBETO MATTHEWS/ASSOCIATED PRESS

STAR LEDGER  
7/25/07

# Rattled Stern rebounds

## The emperor has no clothes or clues

**N**EW YORK — He couldn't even fire the guy.

For 19 days, David Stern knew he had a "rogue criminal" working as an employee in his league, that a corrupt referee was about to threaten the basketball empire he spent a lifetime building. But Stern never even got the satisfaction of handing him a pink slip.



STEVE  
POLITI

The FBI told him to wait. Donaghy eventually mailed in his resignation. And Stern, for so long viewed as the most decisive and powerful commissioner in sports, was as helpless as some fan in the nosebleeds.

"Suffice to say," Stern said, "we would have liked to have terminated him earlier."

This was the most striking thing about his press conference yesterday in Midtown Manhattan. Stern, the unfailingly smug executive with an

[See POLITI, Page 61]



HARAZ N. GHANBARI/ASSOCIATED PRESS

Referee Tim Donaghy had been under suspicion by the NBA for 2½ years for questionable behavior before facing gambling accusations, David Stern said.

## Commish calls scandal 'isolated'

BY DAVID WALDSTEIN  
STAR-LEDGER STAFF

**N**EW YORK — David Stern had a lot of explaining to do, and yesterday he spent more than an hour trying to salvage his beleaguered league's credibility.

Facing perhaps the greatest threat in the 60-year history of the National Basketball Association, the commissioner sought to reassure fans yesterday that the Tim Donaghy gambling scandal, while serious, was an isolated case about a single referee, and not the tip of any broader conspiracy that could potentially sink the league.

He also vowed to do whatever is necessary to prevent it from happening again.

But at the same time the commissioner acknowledged that even one rogue referee betting on a game or providing information to reputed mobsters would be devastating.

"This is something that is the worst that can happen to a professional sports league,"

[See NBA, Page 61]

## Vizcaino gives some

BY ED  
STAR-LEDGER

**KANSAS CITY, Mo.** — Monday had a two-run lead and starter Roger Cier thrown 94 pitches.

Kyle Farnsworth had the previous five days. I called on Luis Vizcaino to

Vizcaino worked a out two batters — finishing a 94-mph fastball pitch. Then the Yankees scored of the ninth and didn't let

And he's pretty durable to the well too often."

Monday's outing con for Vizcaino, who may have many setup role in the Yankees' longed to Farnsworth for

"Right now, I'm thriving," Vizcaino said. "I strikes. When I throw a

[See YANKEE

# Falcons will hold off on suspending Vick until NFL completes its

BY PAUL NEWBERRY  
ASSOCIATED PRESS

**ATLANTA** — Horrified by the dogfighting allegations against their star player, the Atlanta Falcons planned to suspend quar-

terback Matt Ryan's final game for the Falcons?

"This sort of behavior is really horrific," Falcons owner Arthur Blank said yesterday, the team's first public comment since Vick was indicted last week. "But these are

dogfighting operation, to put his career on hold while the case is pending.

"These charges are extremely serious," Blank said. "This is not about playing football in 2007. This is about having a life

"This is a very difficult process he'll be going through over the next couple of months. It's very difficult to do that and focus on football at the same time."

With training camp beginning

on Monday's Game during last year became the league history to rush

For now, Joey H

DONAGHY-2204

## NBA

CONTINUED FROM PAGE 55

he said. "But I want to say, on the other hand, that we're going to make good on the covenant that we believe we have with our fans."

Speaking publicly for the first time since the scandal broke last week, Stern said his personal involvement will be "as intense and complete as it can possibly be, and what we do will be completely transparent."

During the 75-minute news conference at a Manhattan hotel ballroom, he said the FBI is investigating allegations that Donaghy, a 13-year NBA referee, had placed illegal bets on games over the past two seasons — including games he had officiated. Stern also said the FBI is investigating whether Donaghy provided information to bookmakers in the Philadelphia and South Jersey areas about those and other games.

"Not only aren't (referees) permitted to either gamble or provide information to people," Stern said, "they may not even provide other than to their immediate family the details of their travel schedules or the games they are going to work."

The FBI and the Justice Department had restricted what information Stern could release and what charges are expected to be brought against the embattled former referee, he said.

"I can tell you that this is the most serious situation and worst situation that I have ever experienced either as a fan of the NBA, a lawyer for the NBA or a commissioner of the NBA," said Stern, who has held the top post for 23 years.

Donaghy, who earned \$260,000 in salary, has declined to comment since the allegations were made public.

Stern said Donaghy's lawyer told the NBA the referee is "contemplating a plea." But the commissioner added that law enforcement officials had not uncovered any other criminal behavior besides Donaghy's alleged misdeeds.

"It is my understanding that it is an isolated case," Stern said.

Stern said he knows of no other players, coaches or officials who are currently under suspicion.

Donaghy didn't receive much support in the Philadelphia suburbs where he grew up.

In Havertown, Pa., yesterday, Lisa O'Neill shook her head in disbelief while watching Stern's press conference on a mounted television at a local pizza shop less than a mile from Donaghy's childhood home.

"If he cheated, he should go to jail," said O'Neill, who doesn't know Donaghy. "I'm embarrassed for him."

Bill Maloney, chatting with a buddy at a nearby restaurant, hoped the authorities would "throw the book at" Donaghy for the alleged transgressions.

"I don't care where he's from," Maloney said. "He fixed games and should be punished for it."

Stern said Donaghy had been under suspicion by the league for 2½ years because of questionable behavior, including the possibility of casino gambling, which the league could not substantiate at the time. NBA referees are prohibited from any gambling other than at racetracks in the off-season.

In January 2005 the NBA first looked into Donaghy's involvement in disputes with neighbors and subsequent litigation filed against him for harassment. During that process allegations were made that he was seen gambling at the Borgata casino in Atlantic City.

Called into a meeting at NBA headquarters in Manhattan, Donaghy denied the accusations, Stern said. But Stern added that the league still hired the Arkin Group, an investigative firm whose co-founder is the former chief of worldwide operations for the CIA, to look into the matter.

That firm found no evidence Donaghy had been present at any casinos in Atlantic City or Las Vegas, and the league allowed him to continue in his job, Stern said. As punishment for a fight with neighbors, he wasn't permitted to officiate the second round of the 2006 playoffs, as he had the year before.

Stern said there was no legal basis for termination but that Donaghy was warned that if other similar disputes erupted, "he was going to be terminated."

In the interim period, Stern said, Donaghy moved to Bradenton, Fla., and had no further reports of trouble.

Stern refuted reports that the NBA knew about Donaghy's alleged behavior and allowed him to continue officiating. He said the FBI informed him of the allegations at a meeting on June 21, several days after the NBA Finals. Donaghy, aware of the investigation, resigned on July 9.

The commissioner said Donaghy would have been fired sooner, but the FBI worried it might hurt the investigation.

M.A. Mehta in Havertown, Pa., contributed to this report.

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NBA

Donaghy timeline

Events involving former NBA referee Tim Donaghy, who has been accused of betting on NBA games and giving information to gamblers:

JAN. 1967

■ Donaghy is born in Delaware County, Pa.

1989

■ He graduates from Villanova University, where he also played basketball and baseball.

1994

■ The NBA hires him as a referee.

JUNE 2000

■ Donaghy is charged with disorderly conduct and harassment after an argument with his mailman. The case is dismissed when the mailman fails to show up in court.

JAN. 2003

■ Donaghy and renowned NBA hot-head Rashad Wallace get into a shouting match after a game in which Donaghy whistled Wallace for a technical foul. Wallace is suspended seven games for the incident.

NOV. 2004

■ Donaghy is among the crew of officials working the game in which Indiana Pacers forward Ron Artest and others go into the stands after a fan at the Palace of Auburn Hills in Michigan.

JAN. 2005

■ Donaghy is sued by his Pennsylvania neighbors, Peter and Lisa Mansueto, who allege harassment over a period of years that included Donaghy's burning of their tractor. The NBA meets with Donaghy about the suit and decides to prohibit him from working second-round playoff games that spring and tells him that if he has any more problems like this, he will be fired. During the NBA's investigation, Donaghy is alleged to have gambled at a casino in Atlantic City (not on professional sports), but the league cannot corroborate the claim. (NBA referees are not even allowed inside casinos.) That summer, Donaghy and his family move to Florida.

JUNE 20, 2007

■ The NBA receives a call from the FBI, and the next day is notified that Donaghy is being investigated for placing bets on league games, including games he worked, and for providing information to gamblers.

JULY 9

■ Donaghy resigns after 13 seasons as an NBA official.

JULY 20

■ The New York Post breaks the story of an NBA referee being investigated for being involved in gambling on league games. Later that day the unnamed official is identified as Donaghy.

YESTERDAY

■ NBA commissioner David Stern holds a news conference to discuss Donaghy, saying it is an "isolated" incident and calls this the "worst situation" he has experienced in his 23 years as head of the league.

—COLIN STEPHENSON, THE STAR-LEDGER

DONAGHY



Stern defends NBA officials

Commissioner says league thoroughly evaluates its refs

BY COLIN STEPHENSON  
STAR-LEDGER STAFF

Accusations that former referee Tim Donaghy bet on NBA games and provided information to gamblers won't change David Stern's attitude regarding his league's game officials, the embattled NBA commissioner said yesterday.

"I think I still have to be protective of my officials, including those who likely have been and will continue to be unfairly besmirched in the allegations that have been made against Mr. Donaghy," Stern said during a news conference yesterday.

"By and large, (the league's referees) get it right most of the time," he said. "They get it wrong sometimes. Sometimes they perhaps carry themselves in a way that is..."

Stern said the background checks used to be conducted every two years for each official, but beginning two years ago, the checks — agreed to by the league's referees — are conducted annually. He insisted that the fact the annual checks began the same year — 2005 — that the league called Donaghy onto the carpet to ask him about a lawsuit filed against him by his neighbors in Chester County, Pa., was simply coincidence.

Stern said nothing in Donaghy's background checks led anyone to believe he might have been gambling, giving information to bettors, attempting to fix point spreads on games or doing anything else illegal.

A volume of incidents involving Donaghy — he allegedly bet...

would be fired if he kept having similar kinds of problems:

Since 2003-04, every official's games have been examined by one of 30 evaluators hired by the league (one for each NBA team), who attend the games, then break them down on video, looking for bad calls, noncalls, inconsistencies and other poor officiating. These evaluations were not in place to try and catch crooked referees so much as they were intended to help referees improve their performance, Stern said.

Although he agreed it would be difficult to prove just by looking at game tape whether a referee was crooked, Stern said if a referee gambles on games, he loses the benefit of the doubt.

Ex-official rips ref supervisors

Mathis: Monitoring system is flawed

BY DAVE D'ALESSANDRO  
STAR-LEDGER STAFF

David Stern insists the safeguards were in place to ensure that his crew of 60 NBA referees is the best qualified, best trained, best prepared and best supervised group of officials in the world.

Mike Mathis claims that is merely lip service, and he is willing to cite examples.

The former NBA official, widely regarded as one of the league's best referees over 26 seasons until his retirement in 2002, said the Tim Donaghy fiasco results at least partly from Stern's systemic failures, and what Mathis said is the league's "policy" of putting cronyism ahead of competency.

"The NBA has a good ol' boy system that nobody talks about," he said in an interview. "They hire friends and friends of friends... particularly in the case of hiring referee supervisors."

"This has been waiting to go off. Ask people in the league. Stern is holding the key to all hiring. The things that matter — hiring, teaching, accountability — if they were executed properly, this wouldn't have happened."

The league refused comment on nearly a half-dozen specific allegations from Mathis, who admitted he had a contentious relationship with Stern when he was an officer in the referee's union. But Mathis said his attention was jolted by one remark from the commissioner yesterday during his press conference called to address the allegations surrounding Donaghy.

"We have retained 30 observers, one at each of our team's games,"

Stern said. "They are in it charting the game with respect to the calls and other observations that they make. They then view the game on tape. They are audited — not every game — but selectively audited by the group of supervisors that we have employed by the NBA."

The problem, Mathis claims, is with the group, or referee supervisors.

"They say they have qualified supervisors, but I'll tell you, Mathis said. 'They're once referees, and they were good. These are guys who should be coaching and training refs, but they have no business in those positions.'"

A league spokesman refused comment about the qualifications of the referee supervisors, but the qualifications of each could invite scrutiny in light of how Donaghy was accused of calling games to suit his own purposes and those of gambling confederates.

Two of the group observers — Me Lauerman and Jim Wishmyer — both were fired as referees, only to be brought back as supervisors, confirmed an NBA official who requested anonymity because he is forbidden to discuss management personnel.

And according to NBA playoff records, the two other group supervisors, Jim Capers and Tommy Nunez, were never regarded highly enough to merit consistent playoff responsibilities during their officiating careers.

Dave D'Alessandro may be reached at ddalealessandro@starledger.com

ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS  
COUNTY OF ESSEX  
ORDINANCE NO. 07-0020  
AUTHORITY FOR ORDINANCE: N.J.S.A. 40:14A-100(d)  
N.J.S.A. 40:14A-38  
N.J.S.A. 40:14A-41b

PROPOSED BY: COUNTY EXECUTIVE  
SUBJECT: SALARY ORDINANCE - COUNTY OF ESSEX 2007 - 2010

WHEREAS, pursuant to N.J.S.A. 40:14A-100(d), the compensation for the President of the Board of Freeholders, the Members of the Board of Freeholders, the County Executive, the County Administrator, the County Council and Department Heads shall be set by Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40:14A-38 and 41(b), the salary for the Sheriff, County Tax Administrator, County Clerk, Commissioner of Registration/Supervisor of Elections, Surrogate and Register of Deeds and Mortgages shall be set by Ordinance; and

WHEREAS, the Board of Freeholders hereby establishes the salary ranges and effective dates set forth herein; now, therefore be it

ORDAINED, by the Essex County Board of Chosen Freeholders as follows:

1. The salary for the President, Board of Freeholders, shall reflect a 3% increase on January 1, for calendar year as follows:

2007	32,532
2008	33,611
2009	34,620
2010	35,653
2. That the salary for the Members, Board of Chosen Freeholders, shall reflect a 2% increase on January 1, for calendar year as follows:

2007	31,811
2008	32,765
2009	33,748
2010	34,760
3. The salary range for the County Executive shall reflect a 3% increase on January 1, for each calendar year as follows:

2007	130,650 - 149,350
2008	136,000 - 155,831
2009	139,000 - 158,445
2010	142,000 - 161,199
4. The salary range for the County Administrator shall reflect a 7.7% increase on January 1, for 2007 (no increase was received in 2006) and a 3% increase for each calendar year as follows:

2007	100,000 - 140,000
2008	100,000 - 144,200
2009	100,000 - 148,528
2010	100,000 - 152,981
5. The salary range for the County Council, full time, shall reflect a 3% increase on January 1, for each calendar year as follows:

2007	100,000 - 140,000
2008	100,000 - 144,200
2009	100,000 - 148,528
2010	100,000 - 152,981

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Commissioner added that law enforcement officials had not uncovered any other criminal behavior besides Donaghy's alleged misdeeds.

"It is my understanding that it is an isolated case," Stern said.

Stern said he knows of no other players, coaches or officials who are currently under suspicion.

Donaghy didn't receive much support in the Philadelphia suburbs where he grew up.

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Bill Maloney, chatting with a buddy at a nearby restaurant, hoped the authorities would "throw the book at" Donaghy for the alleged transgressions.

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M.A. Mehta in Havertown, Pa., contributed to this report.



# Stern defends NBA officials

## Commissioner says league thoroughly evaluates its refs

BY COLIN STEPHENSON  
STAR-LEDGER STAFF

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"I think I still have to be protective of my officials, including those who likely have been and will continue to be unfairly besmirched in the allegations that have been made against Mr. Donaghy," Stern said during a news conference yesterday.

"By and large, (the league's referees) get it right most of the time," he said. "They get it wrong sometimes. Sometimes they perhaps carry themselves in a way that is not as modest as we would prefer, but they do their darnedest to get the result right."

Stern said all the league's officials go through extensive background checks that involve looking at the officials' "credit, bank account, civil and criminal, assets, including real property, debt, you name it. If it's legal to have it, we do it."

Stern said the background checks used to be conducted every two years for each official, but beginning two years ago, the checks — agreed to by the league's referees — are conducted annually. He insisted that the fact the annual checks began the same year — 2005 — that the league called Donaghy onto the carpet to ask him about a lawsuit filed against him by his neighbors in Chester County, Pa., was simply coincidence.

Stern said nothing in Donaghy's background checks led anyone to believe he might have been gambling, giving information to bettors, attempting to fix point spreads on games or doing anything else, illegal.

A volume of incidents involving Donaghy — he allegedly had a run-in with his mailman in 2000, had a verbal confrontation after a game with Rasheed Wallace, and supposedly had a confrontation with another referee — caused the league to meet with him in 2005. Stern said the league believed it had dealt appropriately with Donaghy when it prohibited him from working second-round playoff games that spring and warned him he

would be fired if he kept having similar kinds of problems.

Since 2003-04, every official's games have been examined by one of 30 evaluators hired by the league (one for each NBA team), who attend the games, then break them down on video, looking for bad calls, noncalls, inconsistencies and other poor officiating. These evaluations were not in place to try and catch crooked referees so much as they were intended to help referees improve their performance, Stern said.

Although he agreed it would be difficult to prove just by looking at game tape whether a referee was crooked, Stern said if a referee gambles on games, he loses the benefit of the doubt. Referees are not permitted to gamble, except for going to horse-racing tracks in the summer, Stern said. That exception was negotiated in collective bargaining with the referees' union, but that policy might be changed in the future.

"Boy, we're going to revisit everything," Stern said. "Everything."

Colin Stephenson may be reached at cstephenson@starledger.com

## POLITI

CONTINUED FROM PAGE 55

answer for everything, looked and sounded like he climbed out of a morgue drawer. He had no bold promises or proclamations. He had few answers.

The confidence in his voice, his trademark for 23 years running this league, was missing.

Among his contemporaries as league commissioners, Stern always cast the most confident presence. Hit him with any issue — miserable TV ratings, franchise relocation, high-profile players in trouble — and he could convince his doubters that everything was as smooth as a Jason Kidd fast break.

Not this time. He was speaking near Broadway, but this was no performance. Stern survived lockouts, rampant drug use and a riot that spilled into the stands. He shrugged off poor ratings, franchise relocations and even a cross-dressing Dennis Rodman.

Then, one afternoon in his office, the phone rang. The FBI was on the line. Just like that, at the time in his career when he should be handing the reins to his successor, some random referee was threatening to flush the whole thing down the toilet.

"My reaction was," Stern said,

"I can't believe (this is) happening to us."

The NBA will survive this. The brasserie that served Stern well as he built the league and guided it through some dark days eventually will return, because it is clear he knows this battle — maybe his final one as commissioner — will ultimately define his legacy. Stern has never shied away from a fight.

What Donaghy did will have long-lasting ramifications for the league, and Stern must figure out a way to convince fans they can trust what they see. But how? In one telling moment, a reporter asked Stern if it was even possible to know when a referee was fixing games, and the commissioner gave a stiff smile before he admitted, "That's a very good question."

He said the league already had conducted "extensive background checks to the limit of the law." He listed the consultants from the Secret Service, the U.S. Army and the police. He said the league already prohibited its referees from all gambling outside of horse races in the summertime, one loophole you can bet Stern will erase before next season.

He pledged the league would "do every look-back possible to analyze our processes and seek the best advice possible to ... continue to assure fans that we are doing the best we possibly can." But the

commissioner could not offer details beyond the reassurance.

So much of what is happening in the investigation is out of his hands, an uncomfortable and unfamiliar situation for Stern. He still does not know which of the 139 regular-season and eight playoff games that Donaghy officiated were compromised. Soon, the world will know, and the YouTube generation will have evidence available for everybody to scrutinize.

Stern tried to be contrite, but he could never explain how his league could miss so many red flags — Donaghy's violent behavior toward neighbors, disputes with other referees and rumors of casino gambling. You got the impression that Stern was aware that Donaghy was a potential problem, but that he did not spend much time fretting about this one referee.

Not until that phone call came from the FBI, the one that opened his eyes to "the most serious situation and worst situation that I have ever experienced," Stern gave a testy reply when asked how he could be sure this was an isolated problem. Truth is, he can't be certain of anything.

For the first time in his career, Stern looked helpless.

Steve Politi appears regularly in The Star-Ledger. He may be reached at spoliti@starledger.com

to address the allegations surrounding Donaghy.

"We have retained 30 observers, one at each of our team's games,"

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Dave D'Ales

may be reached

ddalesandro@

ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF ESSEX

ORDINANCE NO. O-07-0020

AUTHORITY FOR ORDINANCE

PROPOSED BY: COUNTY EXECUTIVE AUTHORITY FOR: COUNTY OF ESSEX 2007-2011

WHEREAS, pursuant to N.J.S.A. 40:41A-100(d), the compensation of the Freeholders, the Members of the Board of Freeholders, the County Administrator, the County Council and Department Heads shall be set by Ordinance; and N.J.S.A. 40:41A-33 and 41(b), the salary of the County Clerk, Comptroller of Registrars/Superintendent and Register of Deeds and Mortgages shall be set by Ordinance; and WHEREAS, the Board of Freeholders hereby establishes the salary for each calendar year, now, therefore be it

ORDAINED, by the Essex County Board of Chosen Freeholders as follows:

1. The salary for the President, Board of Freeholders, shall reflect 1, for each calendar year as follows:

2007	32,852
2008	33,611
2009	34,620
2010	35,658

2. That the salary for the Members, Board of Chosen Freeholders, on January 1, for each calendar year as follows:

2007	31,811
2008	32,785
2009	33,748
2010	34,763

3. The salary range for the County Executive shall reflect a 3% increase each calendar year as follows:

2007	130,000 - 140,250
2008	135,000 - 153,831
2009	140,000 - 158,445
2010	145,000 - 163,189

4. The salary range for the County Administrator shall reflect a 7.7 for 2007 (no increase was received in 2006) and a 3% increase thereafter:

2007	100,000 - 140,000
2008	100,000 - 144,200
2009	100,000 - 148,526
2010	100,000 - 152,981

5. The salary range for the County Council, full time, shall reflect 1, for each calendar year as follows:

2007	100,000 - 133,900
2008	100,000 - 137,917
2009	100,000 - 142,055
2010	100,000 - 146,316

6. That salary range for the Department Directors, shall reflect a 3 for each calendar year as follows:

2007	65,000 - 133,900
2008	65,000 - 137,917
2009	65,000 - 142,055
2010	65,000 - 146,316

7. The salary range for the County Tax Administrator shall reflect a 1, for each calendar year as follows:

2007	55,000 - 87,550
2008	55,000 - 90,177
2009	55,000 - 92,862
2010	55,000 - 95,608

8. The salary range for the Sheriff shall be equal to that of a deputy sheriff one of the largest departments in the County of Essex. It is on January 1, for each calendar year as follows:

2007	96,850 - 133,900
2008	96,850 - 137,917
2009	96,850 - 142,055
2010	96,850 - 146,316

9. The salary for the Commissioner of Registration/Superintendent shall be 65% of the salary of Judges of the Superior Court of the County of Essex, as follows:

2007	\$98,850
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10. The salary range for the County Clerk shall be not less than 55% of the Superior Court of the State of New Jersey on January 1, as follows:

2007	\$98,850
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11. The salary for the Register of Deeds and Mortgages shall be not less than 65% of the salary of Judges of the Superior Court of the State of New Jersey on January 1, as follows:

2007	\$98,850
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12. The salary for the Surrogate shall be not less than 65% of the Superior Court of the State of New Jersey on January 1, as follows:

2007	\$98,850
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13. A public hearing shall be held on this Ordinance August 15, 2007, at County Hall, 60 Main St., West Orange, NJ.

14. The Clerk of the Board of Chosen Freeholders is hereby directed to publish this Ordinance in accordance with applicable Provisions of Law.

15. That this Ordinance shall take effect at the time and in the manner provided for in and by law, Richard Siegel 7/20/07

Assistant County Counsel

RECORD OF VOTE (X=Vote N.V.=Abstention ABS=Absent)

FIRST READING Moved by Freeholder Sebald Seconded by Freeholder Gonzalez

SECOND READING Moved by Freeholder Sebald Seconded by Freeholder

Freeholder Yes No N.V. ABS Freeholder Yes

BEASLEY BEASLEY

CAPUTO, VP. CAPUTO, VP.

CAVANAUGH CAVANAUGH

CLARK CLARK

GONZALEZ GONZALEZ

JONES JONES

PAYNE, JR. PAYNE, JR.

SEBALD SEBALD

WATSON, PRES. WATSON, PRES.

Date Mailed to Municipal Clerks 7-20-07 Date Mailed to Municipal Ct

Date Published 8-15-07 Date Published

It is hereby certified that the foregoing Ordinance was adopted by roll call vote at a Regular meeting of the Board of Chosen Freeholders of the County of Essex, New Jersey, held on July 19, 2007.

Blondie R. Watson, President Blondie R. Watson, President

The foregoing Ordinance has been duly presented to me on I hereby ( ) approve ( ) disapprove the same on

Returned and filed Adm. Sec. Clerk Joseph N. DiVincenzo, Court

[Print Window](#) | [Close Window](#)**Search Terms:** Date: 07/26/2007-07/27/2007 Subject: donaghy

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Copyright 2007 Associated Press  
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The Associated Press State & Local Wire

July 27, 2007 Friday 7:21 AM GMT

**SECTION:** SPORTS NEWS**LENGTH:** 202 words**HEADLINE:** Report: Reputed bookie in NBA scandal was ref's classmate**DATeline:** NEW YORK**BODY:**

A reputed bookmaker being investigated in the NBA betting scandal was a high school classmate of the referee involved, a newspaper reported Friday.

A lawyer for James Battista of Phoenixville, Pa., told the Daily News on Thursday that his client attended Cardinal O'Hara High School in Springfield, Pa., with former NBA referee Tim **Donaghy**.

Attorney Jack McMahon told the newspaper he was aware of the allegations against his client and has been in touch with Assistant U.S. Attorney Thomas Siegel, who is supervising the investigation for the U.S. attorney's office in Brooklyn.

"I've indicated to the prosecutors that if they have an indictment against my client, he would turn himself in voluntarily," McMahon told the paper. "He intends to fight this. If there are any specific allegations, we'll answer them."

McMahon declined comment when he was asked whether Battista was a bookie.

**Donaghy**, who resigned his position on July 9, has been the target of an FBI investigation for allegedly betting on games, including some he officiated, over the last two seasons.

**Donaghy**, an NBA referee for 13 years, is expected to surrender to authorities by early next week.

Information from: Daily News, <http://www.nydailynews.com>

**LOAD-DATE:** July 27, 2007

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[Print Window](#) | [Close Window](#)**Search Terms:** Date: 07/26/2007-07/27/2007 Subject: colombo and crime

Document 2 of 3

Copyright 2007 The Bradenton-Herald  
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The Bradenton Herald (Florida)

July 27, 2007 Friday

**SECTION:** SPORTS; Pg. 1**LENGTH:** 674 words**HEADLINE:** Mob insider warns of gambling's danger;  
Reformed criminal advises refs, athletes not to get involved**BYLINE:** ROGER MOONEY, [rmooney@bradenton.com](mailto:rmooney@bradenton.com)**BODY:**

Michael Franzese is the former captain in the **Colombo crime** family who served 10 years in prison for racketeering and now travels the country warning of the dangers of gambling with members of organized crime.

He's spoken to NCAA basketball officials, all 30 Major League Baseball teams and the major league umpires, and 270 universities, including South Florida.

He's also spoken to the NBA rookies, but not the NBA officials.

"Now that might change," Franzese said.

He was referring, of course, to the alleged gambling scandal involving former NBA official and Lakewood Ranch resident Tim Donaghy that has rocked the league.

"I tell you, I'd love to have spoken to that guy," Franzese said during a phone interview Thursday night from his home in California.

Franzese was once known as the "Don of Long Island" and "The Prince of the Mafia." He was thought to have made the most money for the underworld organization since Al Capone.

But after 10 years in prison, Franzese became born again and decided to go straight. His second career is educating organizations about the evils of gambling.

"He told stories that will make your hair stand up," said Steve Welmer, the NCAA's top basketball official who lives in east Bradenton.

Franzese doesn't name names, but he said his stories are based on fact.

"His delivery is direct, no punches pulled," said Jeff Ziegler, the Tampa Bay Devil Rays' traveling secretary. "It was scary and interesting at the same time."

With the amount of gambling on college campuses - Franzese estimates 60 percent of the male students and 40 percent of the female students are gambling in some form - it seems logical to have him talk to college athletes. That's why he's talked to the football and basketball players at the University of South Florida the past two seasons and the entire student-athlete body last year.

"We feel it is very important to notify our kids about these problems with gambling. Michael Franzese, he doesn't sugarcoat anything," said Steve Horton, USF's associate athletic director for compliance. "You have to do that now."

You want them to hear the stories."

"It's one thing to read about (organized **crime**) in a book or see it in a movie," Franzese said, "but to hear it laid out matter-of-factly by someone like me, that's frightening."

Franzese said he explains step by step how a mob figure can gain control of an athlete or an official.

"This is how it's going to go down, and once we get a hold of you, it's going to end up bad for you," he said.

Once it goes down, athletes have few choices. They can go to the police and risk losing their scholarship or their position with a professional team.

"That's bad," he said.

And more than likely, they will end up testifying against the mob.

"And that's bad," he said.

Or they can choose not to pay their debts, and that's bad.

"You're going to end up in the hospital," he said.

Franzese was not willing to share any of the stories, but Ziegler did.

"The players call it Dr. Bedreau," Ziegler said.

It seems far-fetched, but Ziegler said he's heard players warn each other of Dr. Bedreau since he joined the Rays in 1998.

"Yes, absolutely 100 percent," Ziegler said. "They've been able to get athletes into a position where they could get him to do anything they want him to do."

Franzese said he's amazed at the amount of professional athletes who frequent casinos and are involved in online betting.

"You'd be surprised how many of them come up to me after I talk," he said. "I tell them you guys are real suckers."

Franzese doesn't think today's athletes would risk everything to throw games. Maybe years ago, when the salaries weren't as high. But with so much disposable income nowadays, if they do run up gambling debts, it could lead to a compromising situation for their sport.

As the Donaghy case has proven, an athlete or referee with a gambling problem can still find him or herself in real trouble.

"What's scary about what I say is it's real. This is what happens," Franzese said. "If we find a guy like Donaghy, we're going to take it to the Nth degree."

**LOAD-DATE:** July 27, 2007

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# NEW YORK POST

## GOOD NEWS FROM BAD REF? YOU BET!

By PHIL MUSHNICK

July 27, 2007 -- IF there are two ways to look at every story, at least give the other way a shot.

In other words, while this Tim Donaghy NBA gambling scandal has caused justifiable hysteria and sky-is-falling angst, it's actually a good story, a hopeful one. Heck, if integrity is the issue, it could turn out to be the feel-good sports story of the year.

After all, if Donaghy is guilty, they got him! He didn't get away with it. It caught up with him. And they caught him.

That's good; that's very good. That should stimulate some satisfaction, some sense of good-defeats-evil, no? That's why "Cops" has been such an enduring TV show: There's satisfaction in watching bad guys being chased down, cuffed and stuffed into a patrol car. The rat didn't get away with it.

Last Friday wasn't a good day for bad guys, it was a rotten one. And that's good.

But what we're hearing, here, there and everywhere, since this story broke, is what many folks have hollered for years: All sports that carry betting lines, and every turn of every card, is fixed.

They're fixed at every level, from the coach's decision to punt instead of trying a field goal - "The [bleep] had to have bet the under!" - to the crime family's daily meeting in the back of the social club.

Everyone has a story or 10 about what he or she saw, no doubt about it, as a fixed game, a shaved game, a corrupted outcome. And this Donaghy scandal cements it. "See? You didn't believe me. This NBA ref proves what I've been saying for years."

But it more likely proves the opposite. If gambling-corrupted outcomes are even fractionally as common, we'd be left to explain how the lid could be so tightly held on daily occurrences facilitated by thousands of people, especially given that secrets are no longer secrets as soon as more than one person knows and there's money to be made.

Every day, several games' betting lines would leap for no apparent reason in one direction or the other. That doesn't happen. Local bookies and owners of Las Vegas sports books would swap places with their customers in homeless shelters. That doesn't happen.

If thousands of people are daily in the game-fixing business, it stands to reason that Tim Donaghy stories would by now inspire nothing more visceral than a yawn.

This Donaghy caper may prove, yet again, that those who fix or try to fix games can't make enough money to rationalize the risk of going down, of forever wrecking their lives. It should even serve as the latest daylight's frightener for those who might be the least bit inclined to lean in the wrong direction. Crime doesn't pay.

This isn't Pollyanna writing to you, sports fans; I'm the most cynical SOB in the house. And I wasn't born that way. Covering sports did it to me. The institutionalized fix is in every day, all day. There's must-buy exhibition games, buy-six-to-get-one ticket packages, \$5 cups of soda, BALCO, double-the-price parking

DONAGHY-2216

for playoffs - and there's always Cablevision.

But if an NBA ref has been caught shaving points, that's very, very bad for him and his confederates, and very, very good for the good people. That means he didn't get away with it. Good 1, Evil 0. Hey, one in a row!

And if this is, in fact, a one-shot, one-ref deal, Donaghy and his alleged co-conspirators should be feeling mighty sick, today, not us. Woe is us? Why? They got him!

\*

**Keith Hernandez** needs to brush up on his Yiddish. Tuesday on SNY's Pirates-Mets he was talking about the "dog days" of summer when he said that if you're on a bad team, "Babe Ruth and a bunch of [Yiddish expletive deleted] couldn't win." It's bad enough, ya know, that Seattle's closer is **J.J. Putz**.

From the Department of You Can't Make This Stuff Up: On the Jets' Web site, yesterday, right next to the story headlined, "Curtis Martin Makes It Official: Retires As A Player," were ads pitching **Curtis Martin** replica No. 28 jerseys, "Regularly \$75, Now \$28.28," and Curtis Martin footballs, "Now 50% Off!"

The Yankees' TV schedule for this afternoon/tonight: From 4:30-7 p.m., YES will air tape of the June 28 Yankees-Orioles game, which was suspended in the top of eighth due to rain. At 7, Ch. 9 will pick up the live remainder of that game. The scheduled Yanks-O's game will follow on Ch. 9.

Used to be, when it covered sports as a matter of defined purpose and good faith, sports fans didn't have to look cockeyed at ESPN. Thus, while it's nice to see all the attention ESPN is providing **David Beckham**'s arrival here to play in the MLS, we're now forced (by ESPN) to wonder whether he'd be worth a mention if ESPN didn't own MLS rights.

[phil.mushnick@nypost.com](mailto:phil.mushnick@nypost.com)

## Home

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NYDAILYNEWS.COM

**DAILY NEWS**

Exclusive

## Ref's alleged bookie is in a foul mood

BY MIKE JACCARINO in *Phoenixville, Pa.*  
and JOHN MARZULLI in *New York*  
DAILY NEWS STAFF WRITERS

Friday, July 27th 2007, 4:00 AM

Here's the first look at the reputed small-time bookie behind disgraced referee Tim Donaghy and the NBA scandal.

James Battista, who attended the same Pennsylvania high school as Donaghy in the early 1980s, is in the eye of the illegal gambling storm that has rocked pro basketball, but he was calmly walking his Shih Tzu when the Daily News tracked him down in an affluent Philadelphia suburb.

"No comment," Battista said gruffly. "Stay off my property."

Later, Battista softened somewhat and emerged from his brick Colonial with a bowl of cold water for the reporter's dog, who was along for the stakeout.

"Let's handle this like gentlemen. Call my lawyer," he said.

The FBI is investigating allegations that Donaghy bet on NBA games, including those he officiated in, with Battista and another unnamed bookie.

Battista's lawyer Jack McMahon said he is aware of the allegations and has been in contact with Assistant Brooklyn U.S. Attorney Thomas Seigel, who is supervising the probe for the Brooklyn U.S. attorney's office.

"I've indicated to the prosecutors that if they have an indictment against my client, he would turn himself in voluntarily," McMahon said.

However, "he intends to fight this," McMahon said. "If there are any specific allegations, we'll answer them."

The veteran defense lawyer, a former state prosecutor in Philadelphia, confirmed that Battista and Donaghy attended Cardinal O'Hara High School in Springfield, Pa., but offered little else about his client's background.

"My understanding is he's a good father and a good family man," McMahon said.

Asked whether Battista was a bookie, McMahon declined to comment.

Asked whether his client had been arrested before, he said he did not know.

Public records show that Battista owned a restaurant called Marina's several years ago, but McMahon would not say what he does now for a living.

Law enforcement officials learned of Donaghy's gambling during an investigation of the Gambino crime family.

There is no evidence he fixed games for his gambling associates, but sources said he funneled confidential information about which referees would work upcoming games.

The bookies allegedly threatened to expose Donaghy's gambling and claimed to have contacts in the Mafia, but law enforcement officials believe their ties to the mob were just hot air.

Battista's neighbors in Phoenixville said they did not know what he did for a living.

Childhood acquaintances in Springfield were shocked that he might be connected to the scandal.

"He was a regular kid like anybody else. He didn't stand out one way or another for good or bad," said Greg Hansell, 45.

[mjaccarino@nydailynews.com](mailto:mjaccarino@nydailynews.com)



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DAILY NEWS  
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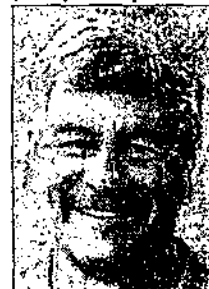
# CHOPPER HORROR



Scott Bowerbank and Jim Cox (below). Photos by AP



Craig Smith & Rick Krolak (below). Photo by AP



Smoke filled TV screens yesterday after two Phoenix news helicopters covering a police chase smashed into each other and plunged down into a park (below), killing all onboard but not hurting anyone on ground. Photos by Fox and AP



## News crews collide during coverage of four journalists d

TELEVISION VIEWERS WITNESSED a routine police chase: A truck, cops, rolling slowly on its parked cars, swerving off the street. Suddenly the TV screens turned spinning, broken images.

Two TV news helicopters covering the police chase collided yesterday — erupting into a huge fireball, plunging into a park and killing all four newsmen aboard the choppers. No one on the ground was hurt.

The choppers from Phoenix stations KNXV and KTVK smashed into each other over the heart of the city about five minutes into the police chase that began when a truck was stolen.

KNXV reporter-pilot Craig Smith was reporting live as cops chased a man driving a construction truck wildly, hitting several cars and occasionally running onto the sidewalk.

When cops blew the truck's tires and Smith told viewers, "This may be the end of this thing."

"Okay, now it's a foot chase," he said as the suspect suddenly ran to another vehicle and car-jacked it.

With police closing in on the thief, and the choppers closing in on each other, Smith uttered his last words — "Oh, geez!"

Viewers could hear Smith as his broadcast broke up. KNXV cut back to the confused studio, then to regular programming — a soap opera — before announcing the helicopter had crashed.

Viewers did not witness the accident because cameras aboard both aircraft were pointed at the ground. Photographers on the ground captured horrific images of the choppers plunging toward the ground.

Killed along with Smith were

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## Feds in no hurry to bust rogue ref & bet friend

THE FEDS AREN'T in any rush to arrest the ex-NBA referee and the reputed small-time bookie at the center of a betting scandal, sources said yesterday.

Tim Donaghy — the disgraced official under investigation for betting on basketball games including several he officiated — likely won't surrender on federal gambling charges next week, the sources said.

Law enforcement officials said there's no snag in the criminal probe, and the investigation is proceeding on schedule despite the public disclosure of Donaghy's alleged involvement with mob wanna-bes.

Donaghy was chauffeured by his wife

yesterday to visit friends near their home in Bradenton, Fla.

The FBI, which learned of the case during an investigation of the Gambino crime family, has questioned two former Pennsylvania high school buddies of Donaghy. Sources identified the pals as reputed bookie James Battista and former beauty salon owner Thomas Martino — whose girlfriend once cut the ref's hair.

Agents also are trying to determine whether Donaghy had ties to other gambling figures in the Philadelphia area, sources said.

Mike Jaccarino,  
Tamer El-Ghobashy  
and John Marzulli

## Slippery story on Di driv

LONDON — The former Scotland Yard boss who blamed the crash that killed Princess Diana on her chauffeur's intoxication told the driver's parents a different story, their lawyer said yesterday.

In a preliminary hearing, lawyer Richard Keen demanded that former Police Commissioner John Stevens testify in the inquests into the deaths of Diana and her boyfriend Dodi Fayed. The inquests are due to begin in October, more than 10 years after the fatal crash in Paris, and are expected to last four to six months.

Stevens' massive report concluded last December that driver Henri Paul was drunk. But Keen said a month earlier,

Stevens met Embassy in sober. "What there such asked.

Coroner would be as going to pu said.

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**Search Terms:** Date: 07/27/2007-07/30/2007 **Subject:** mob and crime

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The Philadelphia Inquirer

July 28, 2007 Saturday  
CITY-D Edition

**SECTION:** NATIONAL; Inq Front Page; Pg. A01

**LENGTH:** 664 words

**HEADLINE:** Referee linked to alleged area bookmaker;  
James Battista was contacted by federal prosecutors about former NBA official Tim Donaghy.

**BYLINE:** By Frank Fitzpatrick and John Shiffman; Inquirer Staff Writers

**BODY:**

Federal agents investigating NBA referee Tim Donaghy for alleged gambling activities have focused in part on his ties to sports bookmakers in the Philadelphia region, people close to the investigation said yesterday.

Several people from Delaware County who know either Donaghy or reputed Phoenixville bookmaker James "Baa Baa" Battista were recently subpoenaed in the case and traveled to New York to testify before a federal grand jury, a source said.

Battista, 42, attended Cardinal O'Hara High School with Donaghy in the mid-1980s. Battista was contacted by federal prosecutors a few months ago, his lawyer said yesterday.

"We've been in a holding pattern ever since," said Jack McMahon, who has a Center City office. "We're still not even sure he's going to be indicted, but as a practical matter, we expect he will be. Should that happen, I can tell you my client intends to turn himself in and also intends to vigorously defend himself."

Asked if Battista had ties to organized **crime** in the area, McMahon scoffed.

"Other than his last name being Italian, he's no more involved with organized **crime** than you are," he said.

Battista was one of five Delaware County men arrested in 1998 by Pennsylvania State Police on bookmaking and conspiracy charges, records show. Computers and records were seized and authorities suspected they had come upon a major betting ring. But within months, the case devolved. Battista's case, for example, was transferred to an alternative-dispute resolution program and he paid about \$800 in court costs.

"It was a garden-variety sports book case," recalled Arthur Shuman Jr., the lawyer who represented Battista.

Battista also pleaded guilty and paid fines on criminal mischief and various alcohol and driving charges stemming from two 1984 arrests.

At the time of the 1998 arrest, Battista's address was listed as Havertown, though public records show he maintained a home in Las Vegas from 1997 to 2001. He purchased his Phoenixville residence in 2000.

McMahon did not say how his client earned a living. Public records also indicated Battista once owned a Delaware County restaurant called Marina's.

Battista is believed to be one of the two area bookmakers the FBI has alleged are connected to Donaghy.

DONAGHY-2224

A Cardinal O'Hara administrator confirmed yesterday that federal authorities had contacted him with questions about two bookmakers they said attended the Catholic high school in Marple Township about the same time as Donaghy.

The name of the second man has not yet surfaced, McMahon said.

An FBI spokesman in New York, James Margolin, refused to comment on the case.

The focus of the probe is whether Donaghy, 40, who has since resigned after 13 seasons as an NBA official, shared information about the league with sports bookies.

The investigation is being conducted by FBI agents in Brooklyn who work on an organized **crime** squad, but several people involved cautioned that this did not necessarily mean the case is **mob**-related.

Two people who spoke on condition of anonymity said that federal authorities suspect that Donaghy provided inside information to sports bookies just minutes before NBA games he was refereeing began.

Onetime West Chester neighbors, with whom the referee regularly feuded, have said Donaghy liked to gamble, particularly at the Borgata in Atlantic City.

Raised in Havertown, Donaghy graduated from Cardinal O'Hara in 1985. Battista, from Clifton Heights, graduated two years earlier.

There has been no indication that the two men knew each other, but in the two years they both attended O'Hara, yearbooks listed each as a homeroom representative and an intramural participant.

Battista played football as a junior. He wrestled and played rugby as a senior, though he is not included in a yearbook photo of the wrestling team.

Donaghy was on the baseball and basketball teams all four years.

Staff writer Mari Schaefer also contributed to this article.

Contact staff writer Frank Fitzpatrick at 215-854-5068 or [ffitzpatrick@phillynews.com](mailto:ffitzpatrick@phillynews.com).

**GRAPHIC:** Photograph by: Feed Loader

**LOAD-DATE:** July 28, 2007

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[Print Window](#) | [Close Window](#)**Search Terms:** Date: 07/27/2007-07/30/2007 **Subject:** bonanno or gambino

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Copyright 2007 Newsday, Inc.  
Newsday (New York)July 28, 2007 Saturday  
ALL EDITIONS**SECTION:** SPORTS; Pg. A28**LENGTH:** 422 words**HEADLINE:** Donaghy school mates eyed in gambling case**BYLINE:** BY ROBERT E. KESSLER. [robert.kessler@newsday.com](mailto:robert.kessler@newsday.com)**BODY:**

Two men who attended the same Pennsylvania high school as NBA referee Tim Donaghy are suspected of having illegally received inside information from him in order to bet on games, according to sources familiar with a federal investigation into possible illegal betting by organized-crime controlled bookmakers.

The two men were identified by the sources as James Battista, 42, of Phoenixville, Pa., and Thomas Martino, 41, of Marcus Hook, Pa., who both attended Cardinal O'Hara High School in Springfield, Pa., with Donaghy. Neither they nor Donaghy have been charged by Eastern District federal prosecutors in Brooklyn who are heading the investigation.

The investigation, which has so far led to the resignation of Donaghy as an NBA referee, was touched off by information gathered by FBI agents who were investigating the leadership of the **Gambino** organized crime family.

Battista's attorney, Jack McMahon, of Philadelphia, said Friday that his client had been questioned by FBI agents and is prepared to surrender to face charges if requested, but will fight them because he is innocent. McMahon strongly denied his client was a member of the **Gambino** family.

Martino's mother, Sally, who answered the phone Friday at the Nirvana Hair Gallery in Springfield that her son co-owns with his father, declined to comment on the investigation.

McMahon, Battista's lawyer, said his client had had one minor arrest for gambling years ago, but more recently ran a restaurant, Marinas, in Phoenixville.

McMahon said he did not have the details of the gambling arrest, but said it was minor, and declined to say what his client's current occupation was.

Donaghy, who is cooperating with federal authorities, had been expected to surrender in Brooklyn this week to face charges, and other arrests in the case, had also been scheduled, but there may be some delays in that timetable, according to the sources.

The sources familiar with the investigation have said that the gamblers to whom Donaghy provided information were more "small-time mob wannabees" than actual made members of organized crime. The sources also have said that it is unlikely that Donaghy engaged in point-shaving or rigging calls to manipulate the over-under point total on games. The information was more akin to informing gamblers which referees would be who they were publicly announced, the sources said.

Donaghy's attorney did not return calls asking for comment. Robert Nardoza, a spokesman for prosecutors in the Eastern District, declined to comment.

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## Bx. mom's agony as 5 kids die

A hysterical mother had to be carried out of her Bronx home after she learned that all five of her children had been killed in a fiery crash with a truck on a Virginia highway this week.

Pamela Ramharack's wails rang out across her Norwood street after learning on Wednesday that the last of her five children, 13-year-old Anderson Gopaul, had died in the hospital a day after the charred bodies of his siblings and a pal were pulled out of a wreck on Route 58.

"I don't know what to do now. I lost my five kids," Ramharack screamed as relatives carried her from her home, according to neighbors.

Anderson, Putriha, 24; Anthony, 21; Emmanuel, 16; and Jessica Gopaul, 11, all died along with a friend in his 20s who has yet to be identified. The Honda Accord they were traveling in crossed a grassy median into oncoming traffic, family members said.

The single mom had raised the kids by herself, while the father remained in Trinidad, neighbors told The Post. *John Doyle*

Gailly Images



# REF'S MAFIA POINT MAN



**NET GAIN:** Disgraced ref Tim Donaghy lived near convicted gambler Peter Ruggieri's Pennsylvania home (right). Another pal, Thomas Martino (inset), has been questioned by the FBI in the scandal.

Matthew McMenamin

## Crime doesn't pay at pump

A quick-draw Long Island gas station attendant was being robbed at gunpoint — so he pulled out a gas nozzle and pointed it at the bad guy, who ran for his life, police said.

The showdown occurred at 2:30 a.m. yesterday at a Delta Gas Station in Brentwood, while the unnamed 56-year-old victim was pumping gas, said cops.

The victim said two men approached the station. One headed for the office and another toward him — pointing a gun and demanding money.

The fast-thinking full-serve attendant, who was holding the silver gas nozzle, pulled it out of the car.

"I pointed it at him, like I was going to shoot gas on him," the victim said.

The crook shouted to his accomplice, and they both high-tailed it away, police said.

*Kieran Crowley*

## Divine drizzle

ROME — A priest in Italy is being hailed as a miracle worker after he prayed for rain and a drought came to an end.

The Rev. Angelo Marcandella held evening prayers on three consecutive days at his church in the medieval town of Castell'Arquato near Piacenza, with about 50 farm workers.

On the fourth day, the skies opened, ending three months of drought. *The Times of London*

## Pal hooked him up with Gambinos

By JANA WINTER  
in Drexel Hill, PA, SAMUEL  
GOLDSMITH in Bradenton, Fla.,  
and CHUCK BENNETT in N.Y.

A small-town gambler with a Las Vegas rap sheet is responsible for introducing disgraced NBA ref Tim Donaghy to the Gambinos, sources close to the case said yesterday.

Peter Ruggieri, who was convicted of running an illegal sports book in Las Vegas, halls from Glen Mills, Pa., a short drive from where Donaghy and his other gambler buddies grew up.

Sources said he and another hometown gambler, James Battista, introduced the pals to a New York gambler with Mob connections.

Ruggieri, 38, did not return calls for comment and did not answer the door at his home in Glen Mills, Pa.

"[Ruggieri] is the big-time

bookie, the one with the connections," a Donaghy family friend told The Post. "Tete isn't like the bookies around here. He won't even talk to you unless your bet is \$100,000."

The friend's account was backed up another source close to the case.

Battista and Donaghy both attended Cardinal O'Hara High School in Springfield, Pa., in the 1980s. Ruggieri attended nearby Monsignor Bonner HS in Drexel Hill at the same time.

In the late 1990s, Ruggieri and Battista were virtual neighbors in Vegas. The two lived just 15 miles away from each other.

Between 1996 and 1997, Ruggieri was the bagman for an illegal sports-betting operation in Las



NBA ref in mob betting scandal

Vegas involving two well-known card sharps, according to court papers.

He was convicted of wire fraud in 2002 and ordered to pay a \$2,000 fine for a scheme that took sports bets from bookies in New Jersey and New York City.

One of Ruggieri's accomplices in the scheme was Alan Denkinson, a prominent horse handicapper from Queens.

Ruggieri's attorney at the time was John Momot Jr., who represents some of Sin City's most high profile mob figures, a law enforcement source said.

Momot did not return calls for comment.

Battista, 42, was contacted by the FBI several months ago regarding Donaghy's involvement

with betting on games he officiated and providing inside information to known mobsters.

"The FBI reached out to my client many months ago," said Battista's attorney Jack McMahon. "He intends to defend himself against any charges, if there are any."

Battista had only "minor" offenses on his record, including a gambling offense, McMahon told the Associated Press. "I know it was some kind of minor gambling," McMahon said. "I know he never went to jail. It was some minor, minor offense."

Another Pennsylvania pal, Thomas Martino, has also been questioned by the FBI.

Donaghy, 40, is expected to turn himself in at Brooklyn federal court sometime next week to answer gambling charges.

Additional reporting by Austin Fenner

*jana.winter@nypost.com*

## Vick in the doghouse with Nike, too

By TIM PERONE

Michael Vick was sacked from all sides yesterday as Nike said it was suspending its endorsement contract with him — following the lead of Reebok and the NFL, which sidelined the jersey sales and other items related to the quarterback who faces dogfighting charges.

"Nike is concerned by the serious and highly disturbing allegations made against Michael Vick, and we consider any cruelty to animals in-

humane and abhorrent," Nike spokesman Dean Stoyer said in a statement.

"Nike" has suspended Michael Vick's contract without pay, and will not sell any more Michael Vick products at Nike-owned retail at this time," the company said in a statement.

The multimillion-dollar Nike deal is the three-time All-Pro's largest single endorsement contract, but the terms are unclear.

The NFL and Reebok announced yesterday they were shelving the sales of the Atlanta Falcons quarterback's jerseys along with all other apparel and memorabilia.

"We respect the legal process, but we've made a decision to take this step prior to [it] coming to a conclusion," Reebok spokeswoman Denise Kaigler said. "We find the allegations against Mr. Vick too disturbing to ignore."

The former No. 1 draft pick

pleaded not guilty Thursday in a Richmond, Va., federal court to a litany of animal-abuse charges, including promoting competitive dogfighting and torturing and executing pit bulls.

Vick hasn't lost his \$135 million dollar salary for this season yet, though last week NFL Commissioner Roger Goodell told the embattled athlete not to report to his team's training camp pending a league review of his conduct.



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July 27, 2007 Friday

**SECTION:** SPORTS**ACC-NO:** 20070727-BC-BKN-REFEREE-DONAGHY**LENGTH:** 731 words**HEADLINE:** Focus on Donaghy's alleged gambling ties in Philadelphia area**BYLINE:** By Frank Fitzpatrick and John Shiffman, The Philadelphia Inquirer**DATELINE:** PHILADELPHIA**BODY:**

PHILADELPHIA \_ Federal agents investigating NBA referee Tim Donaghy for alleged gambling activities have focused in part on his ties to sports bookmakers in the Philadelphia region, people close to the investigation said on Friday.

Several people from Delaware County who know either Donaghy or reputed Phoenixville bookmaker James "Baa Baa" Battista were recently subpoenaed in the case and traveled to New York to testify before a federal grand jury, a source said.

Battista, 42, attended Cardinal O'Hara High School with Donaghy in the mid-1980s. Battista was contacted by federal prosecutors a few months ago, his lawyer said Friday.

"We've been in a holding pattern ever since," said Jack McMahon, who has a Center City office. "We're still not even sure he's going to be indicted, but as a practical matter, we expect he will be. Should that happen, I can tell you my client intends to turn himself in and also intends to vigorously defend himself."

Asked if Battista had ties to organized crime in the area, McMahon scoffed.

"Other than his last name being Italian, he's no more involved with organized crime than you are," he said.

Battista was one of five Delaware County men arrested in 1998 by Pennsylvania State Police on bookmaking and conspiracy charges, records show. Computers and records were seized and authorities suspected they had come upon a major betting ring. But within months, the case devolved. Battista's case, for example, was transferred to an alternative-dispute resolution program and he paid about \$800 in court costs.

"It was a garden-variety sports book case," recalled Arthur Shuman Jr., the lawyer who represented Battista.

Battista also pleaded guilty and paid fines on criminal mischief and various alcohol and driving charges stemming from two 1984 arrests.

At the time of the 1998 arrest, Battista's address was listed as Havertown, though public records show he maintained a home in Las Vegas from 1997 to 2001. He purchased his Phoenixville residence in 2000.

McMahon did not say how his client earned a living. Public records also indicated Battista once owned a Delaware

DONAGHY-2230

County restaurant called Marina's.

Battista is believed to be one of the two area bookmakers the FBI has alleged are connected to Donaghy.

A Cardinal O'Hara administrator confirmed Friday that federal authorities had contacted him with questions about two bookmakers they said attended the Catholic high school in Marple Township about the same time as Donaghy.

The name of the second man has not yet surfaced, McMahon said.

An FBI spokesman in New York, James Margolin, refused to comment on the case.

The focus of the probe is whether Donaghy, 40, who has since resigned after 13 seasons as an NBA official, shared information about the league with sports bookies.

The investigation is being conducted by FBI agents in Brooklyn who work on an organized crime squad, but several people involved cautioned that this did not necessarily mean the case is mob-related.

Two people who spoke on condition of anonymity said that federal authorities suspect that Donaghy provided inside information to sports bookies just minutes before NBA games he was refereeing began.

Onetime West Chester neighbors, with whom the referee regularly feuded, have said Donaghy, liked to gamble, particularly at the Borgata in Atlantic City.

Raised in Havertown, Donaghy graduated from Cardinal O'Hara in 1985. Battista, from Clifton Heights, graduated two years earlier.

There has been no indication that the two men knew each other, but in the two years they both attended O'Hara, yearbooks listed each as a homeroom representative and an intramural participant.

Battista played football as a junior. He wrestled and played rugby as a senior, though he is not included in a yearbook photo of the wrestling team.

Donaghy was on the baseball and basketball teams all four years.

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Staff writer Mari Schaefer also contributed to this article.

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Tim Donaghy

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The New York Post

July 27, 2007 Friday

**SECTION:** Sports+Late City Final; Pg. 23**LENGTH:** 575 words**HEADLINE:** CAUGHT IN PRESS - REF PAL FEARS HE MAY BE SNARED IN THE SAME NET**BYLINE:** JANA WINTER in Glen Mills, Pa., SAMUEL J. GOLDSMITH in Bradenton, Fla., and DAN MANGAN in N.Y.**BODY:**

FBI agents last month questioned a longtime pal of disgraced NBA referee Tim Donaghy as part of a basketball betting probe - and now, the Pennsylvania man fears he'll soon be implicated with Donaghy, The Post has learned.

"It's horrible," said Charles Martino about the situation his son, Thomas, finds himself in.

"Thomas is no mobster, no gambler, no bookie, no criminal. My son is a good boy," said the elder Martino, a math professor at Delaware County [Pa.] Community College. "He has absolutely no association with the **mob**, I can tell you that.

"We are sitting, just absolutely waiting . . . I can't even eat. We don't know what to do."

He said his son, who declined to comment, has hired a lawyer, but refused to give The Post the attorney's name.

Thomas Martino, 41, co-owner of his family's hair salon, was in the class ahead of Donaghy at Cardinal O'Hara HS in Springfield, Pa. The two have remained friends, according to his Martino's father.

In late June, the feds told the NBA that Donaghy, 40, was being investigated for betting on games - including some he officiated - over the past two years.

Donaghy, who resigned July 9, is expected to plead guilty as soon as next week in Brooklyn federal court to a gambling charge.

Yesterday, he had a security company install an alarm system at his Bradenton, Fla., home, where he told police this week he had received two death threats.

Donaghy stayed out of sight yesterday, but his wife, Kimberly, presented a Post reporter and photographer waiting outside his house with several bottles of water, saying, "My husband thought you would rather drink the water than wear it, like you did yesterday."

That was apparently in reference to someone in Donaghy's house having turned on a lawn sprinkler that doused a New York Times photographer crouching down near the grass to take a photo of the home the previous day.

Charles Martino said he noticed a change in his son's demeanor in June. Thomas later told him that the FBI had shown up unannounced at his Marcus Hook, Pa., home that month and questioned him about Donaghy, the elder Martino said.

"I am most afraid that the absolute truth will not come out," the dad said. "That everything will be nuanced. That our family, our business, everything will be ruined, and I still won't know why.

DONAGHY-2233

"Do they think he is the mobster? The gambler? Or an acquaintance? I don't know who they believe Thomas to be."

Thomas Martino, who was divorced two years ago, the same year he was busted on a DUI charge, lists "cars, women, working, sports and the gym" as interests on his MySpace page.

Under a subject heading titled, "Who I'd like to meet," Thomas wrote: "I'd like to meet my ex-wife all over again. I would definitely do things differently."

"I dine out 3 or 4 times a week and live every day like it's my last," Martino wrote elsewhere. "If I died tomorrow I know for a fact I've done more than most 95 year olds."

Meanwhile, Rep. Bobby Rush, (D-Ill.) the chairman of the U.S. House Subcommittee on Commerce, Trade and Consumer Protection, has requested a meeting with NBA Commissioner David Stern to discuss the scandal, and said he is considering holding hearings "should the facts warrant public scrutiny."

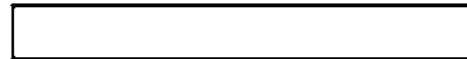
"If the allegations prove true, this could be one of the most damaging scandals in the history of American sports," Rush wrote Stern in a letter sent Wednesday.


Additional reporting by Erin Calabrese in Marcus Hook, Pa.

**GRAPHIC: FOUL MOOD:** Thomas Martino (left), whose prized Lotus (below) is featured on his MySpace site, is worried that the feds will link him with **crimes** allegedly committed by his friend, ex-NBA ref Tim Donaghy (right). [Getty Images]

**LOAD-DATE:** July 27, 2007

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July-27-2007,

## Tim Donaghy - By The Numbers...By Nelson Lardner

While we wait for additional athletic shoes, stilettos, et al to drop in the current officiating brouhaha which has provoked such consternation in NBA-Land, let's look at some of the numb which have been bandied about by various authorities.

Mark Twain once said, "Figures don't lie - but liars can figure." Since we've proven ourselves to borderline-competent in evaluating the true meaning of certain sporting statistics over the yea we're more than willing to take a second and third look at some of what's out there, regarding Donaghy and his frequently-intriguing officiating style:

(1) As pointed out by R. J. Bell at [www.pregame.com](http://www.pregame.com): Of the NBA matchups Tim Donaghy worked, there were ten consecutive games dating from the first of this year which featured a 1 move (reflecting action on the WINNING side) of 1 1/2 points or more.

Note: When queried about the specific source(s) used to derive opening/closing numbers, Bell advised Thursday that "we review the opening numbers and the closes, and then log a proprie consensus line", which he employed in his evaluations. Remember, this is not a precise science. It's a big marketplace out there . . . there's Vegas, and there are the larger remaining offshore and there remains a significant presence of illegal operatives who deal high (and who are likely prospering on the heels of last fall's UIGEA effects on NETeller and many offshores). Sunday's *New York Times* made reference to an anonymous Vegas source with a study of his own, refer to eleven games (occurring during much of the same time period employed by Bell), for which consensus Vegas line had moved two or more points. According to Alan Schwarz's story, the "move" teams covered seven of eleven times.

Regardless, there's SOMETHING of apparent substance here, even though the likes of Jimmy Vaccaro (long-time Vegas book manager, and a true authority on the topic, if ever there was c said in the same Times story that "I'm guessing that the bets didn't happen here (Nevada) - (they) probably happened with local bookmakers, or offshore. There would be a smell of something here and there would be talk about it." Considering that opening/early NBA side numbers have been sharper than ever in recent years . . . and that one of the fastest ways I k to go broke is to indiscriminately CHASE pro-hoops sides that have moved at least a point and half . . . to uncover a specific subset that proved bulletproof over as many as ten repetitions is significant in my mind - especially given the backstory which has developed since.

Must note that this indicator did not "sustain", especially after the playoffs began. A significant relevant factor may be the relatively limited average number of games available for speculatio during the postseason (the resulting greater focus on fewer games resulting in more pronounc line moves than might occur during the regular season -- moves potentially all the more dangerous to those dedicated to chasing them).



**Bobby Sabatowski's  
Ultimate Gambler  
Gaming Articles**

(2) Another Bell-ism: Over the past two NBA seasons, the period which is obviously attracting bulk of researchers' attention regarding this topic, Donaghy worked 138 games (ESPN.com came up with 139, but the overall point remains essentially the same). Of those, 79 went OVER the (leaving us in the 57% neighborhood, either way).

Does this prove anything in itself? No. Does it hint that, just possibly, a lightbulb went on somewhere, a couple of years ago, and action subsequently went off in hot pursuit of thought? Could be.

And if you're hot on the trail of chicanery in terms of officials affecting totals, you're going to look for "over". If you're determined to call a game "tight", whistling every bit of ticky-tack nonsense, you're going to create plenty of clock stoppages while sending professional roundball players to shoot unguarded shots more frequently than usual. Even when dealing with the Shaqs of this world under these circumstances, an official hell-bent on such manipulation is going to succeed in hyping the total score. And as tightly as totals are calculated before openers are posted, it does take much nudging to send a game over, unless the teams involved are shooting as if they're playing on a court within an oversized meat locker.

Given all that, it is relevant to note that the games that Donaghy worked over the (circled) past two seasons saw markedly-high numbers of players fouling out, technicals, and (need we ever say it?) free-throw attempts, compared to league averages in these areas.

(3) According to Thursday's USA Today, the fellow who provides odds to that publication was quoted to the effect that "The limits at the biggest sport book in Nevada are \$500-\$1,000, which is the most one can bet at one time on NBA regular-season games, and most offshore and illegal bookmakers have similar limits."

To put it gently . . . as a statement of fact, that's highly debatable. Just to name two, the Bell and the Mirage will readily deal higher than that on NBA regular-season. They are not alone, and the knowledgeable and well-connected with good credit will readily find accommodation in the shadow marketplace outside Nevada, once they're pointed in the right direction. Again, don't believe everything you read that's gaming related - ESPECIALLY in the general-interest press, even more especially if not written by gaming specialists. All too frequently, general-circ dailies are a child's garden of misinformation when it comes to the fine nuances of sporting issues.

07-27-07  
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# Bad bounces along way

## Scandal ref said to have cheated through high school and college

BY MIKE JACCARINO  
DAILY NEWS STAFF WRITER

HAVERTOWN, Pa. — Long before NBA referee Tim Donaghy landed in the middle of a betting scandal, he had rep as an operator.

Back in high school, he was suspected of cheating on his SATs by fooling an aging nun, a former teacher at Cardinal O'Hara High remembered.

The cheating allegations against Donaghy — who is now the target of a federal probe for allegedly betting on NBA games, including several he officiated — were never proven. But he was later heard bragging about the alleged scam.

"I taught him for a year, and I think every homework assignment he turned into me was copied," one teacher at the school told the Daily News.

The same teacher said years later he was in a New Jersey bar and heard Donaghy boasting to pals that he had cheated his way through Villanova University.

Neighbors and friends of the family say the worst part of the NBA scandal is the shame he has brought to his father, Gerald, a highly respected NCAA official who refereed the Final Four before retiring.

"They were very nice people, a typical Havertown Catholic family, very down to earth," said Donaghy's high school basketball coach, Buddy Gardler, who is legendary in the Philadelphia Catholic League.

Donaghy was the third of Gerald and Joanne Donaghy's four sons. His brothers are Jimmy, Chris and Kevin.

Donaghy grew up in a two-story brick-faced house on Bryan St. in Havertown, a suburb of Philadelphia. All the houses seem to have identical well-trimmed lawns and cedar-shingled roofs.

In the 1970s, Donaghy was the paper boy, delivering the Philadelphia Inquirer to his neighbors in a little wagon.

"He was a funny kid ... well-

liked and goofy, a real character," said Anne Egbert, 61, who lived around the corner.

Besides refereeing basketball games, Gerald Donaghy worked for General Electric as a manager. He was widely liked and respected by his neighbors and coworkers. Early on, however, his son began causing trouble.

"Of the four brothers, he was the wildest," said Judge Egbert, 37, who went to grammar school and high school with Donaghy.

"Timmy had a bad temper," he said. "He was the troublemaker of the Donaghy's. Timmy had a fuse, and that fuse was short."

"For some reason he could not get along with some people," Egbert said. He long heard the rumor that Donaghy did not take his SATs, but always thought it was an urban legend.

A teacher at the school, who asked to remain anonymous, remembered the incident well.

The teacher said Donaghy, who graduated from Cardinal O'Hara in 1985, was taking the test when he left to use the rest room. A few



Tim Donaghy

minutes later, another teen allegedly took his seat and finished the test, the teacher said.

An investigation was launched, but the nun who administered the test couldn't say for sure if Donaghy had pulled a switcheroo, the teacher said.

The nun said she thought it wasn't

the same kid who took the rest of the test. But she was in her 70s, and she wasn't 100% sure, the teacher said.

Fearing a lawsuit, the principal dropped the issue, he said.

About a month later, another teacher at the school said he never heard Donaghy bragging he had someone else take the SATs for him.

Donaghy was a B student and played basketball and baseball all four years at Cardinal O'Hara, the last two years on the varsity teams.

"He was the sixth man his senior year, played guard," Gardler said. "He was a hard-nosed kid, who could play. He followed directions and was coachable."

Plenty of people did not re-

member Donaghy fondly.

"I think he's one of those guys who, always, thought he was smarter than the adults. He felt like he could do what he wanted and get away with it," said one, adding, "He would always talk to you like he was a genius and you were a dummy."

Using his father's connections, Donaghy followed in Dad's footsteps after graduating from Villanova, refereeing his way up from the Philadelphia Catholic High School League to the CBA to the NBA.

"The fact that having a father like that would have to help you a source in the business said."

Donaghy also had help from three other Cardinal O'Hara High alumni, NBA referees Joe Crawford, Duke Callahan and Tom Malloy, friends said.

"It was like a fraternity, like a brotherhood," the source said.

The FBI, which first heard Donaghy's name during an investigation of the Gambino crime family, has questioned two former high school buddies of the ref.

Sources identified the pals as reputed bookie James Battista and former beauty salon owner Thomas Martino, whose girlfriend once cut the ref's hair.

mjaccarino@dailynews.com

## Guy busted in flushing of Korans is freed on bail

A FORMER Pace University student accused of flushing two Korans down a campus toilet was freed without bail after being arraigned on criminal mischief charges yesterday.

"Get that camera out of my face!" Stanislav Shmulevich, 23, screamed, making an obscene gesture at a photographer outside Manhattan criminal court.

Shmulevich was a student at Pace when he threw Muslim holy books in the toilet on Oct. 13 and Nov. 21, police said.

He was busted after cops discovered a surveillance camera that filmed him leaving the meditation room where the Korans were kept before the vandalism.

Prosecutors asked for \$1,500 bail for Shmulevich, who now works at a European banking firm. But a judge denied the request, citing his otherwise clean record.

Nick Reisman  
and Jonathan Lemire



EXCLUSIVE  
PHOTO

Stanislav Shmulevich glares at News photog after his arraignment. Photo by Debbie Chin  
Egan/Daily News

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July 29, 2007 Sunday  
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**SECTION:** SPORTS; Pg. C1

**LENGTH:** 632 words

**HEADLINE:** Donaghy's close friend talks with former ref

**BYLINE:** By CHRIS ANDERSON [chris.anderson@heraldtribune.com](mailto:chris.anderson@heraldtribune.com)

**DATELINE:** BRADENTON

**BODY:**

They met by chance one night at a New Jersey restaurant.

Frank Capece was a longtime season-ticket holder of the New Jersey Nets. He sat courtside, in fact. Tim Donaghy was an NBA referee.

They had basketball in common and they became close friends. Their relationship has lasted more than a decade.

"He's soft-spoken and quick with a laugh," said Capece, a New Jersey attorney. "He's a nice guy and I never, ever heard him say anything about gambling."

Before Nets games, they would usually meet for dinner at a Bannigan's in northern New Jersey. When Donaghy refereed games involving the New York Knicks, they would meet in Manhattan.

Once, Donaghy pulled up in a shiny, new BMW. Capece wasn't impressed and let his friend know. "I ripped into him," Capece said.

It was the same day that Capece paid the tuition bill for his daughter to attend college. Capece said he was concerned about Donaghy's penchant for extravagant spending, and advised Donaghy to instead put money away for the future of his own children.

In addition to owning an expensive BMW, Donaghy lived at a posh country club near Philadelphia.

It was at that house where Donaghy allegedly had an altercation with a neighbor, and that led to his relocation to Manatee County.

Donaghy lives in Lakewood Ranch, and his involvement in a gambling scandal has placed Manatee County in perhaps "one of the most damaging scandals in the history of American sports," according to Rep. Bobby Rush (D-Ill.), the chairman of the U.S. Subcommittee on Commerce, Trade and Consumer Protection.

The 40-year-old Donaghy is being targeted by the FBI for allegedly betting on games -- including those he officiated -- with bookmakers during the past two seasons.

The two bookmakers were originally reported to be mob associates, and law enforcement officials first learned of Donaghy's alleged gambling during an investigation of the **Gambino** crime family.

DONAGHY-2241

The New York Daily News has since reported that the two bookmakers exaggerated their organized crime ties and are "nobodies."

The bookmakers have been identified in reports as being high school friends of Donaghy's from Pennsylvania.

In 2005, the NBA investigated a dispute between Donaghy and a neighbor in West Chester, Pa., according to NBA commissioner David Stern.

Pete and Lisa Mansueto sued Donaghy for harassment and invasion of privacy and accused him of stalking Lisa Mansueto, according to reports.

The Mansuetos also alleged that Donaghy set fire to their tractor and crashed their golf cart into a ravine.

Donaghy wasn't allowed to referee in the second round of the 2005 playoffs because of the alleged incident.

Capece said he counseled Donaghy after the lawsuit was filed. The lawsuit was dropped once Donaghy moved to Manatee County in 2005.

Capece said he was against Donaghy moving to the area because Donaghy's four daughters were "Pennsylvania kids."

"He was so unhappy with the incident in Pennsylvania and he got a great deal on a beautiful house," said Capece. "He thought it would be great for his kids and he wanted to get away from Pennsylvania."

"He always said wonderful things about Bradenton. He loved it down there."

Donaghy's golf-course home in Lakewood Ranch was recently put up for sale for \$1.35 million.

Donaghy, who refereed in the NBA for 13 years and resigned July 9, made \$260,000 last season, according to Stern.

After Donaghy moved to Manatee County, Stern said no other complaints turned up in NBA background checks.

None of Donaghy's neighbors in Lakewood Ranch interviewed recently complained about Donaghy's behavior. Most said they didn't see him often.

Capece said he talked with Donaghy by phone as recently as Thursday, but would not divulge details of their conversation.

When asked to describe Donaghy's state of mind, Capece said only, "Tim will be OK."

**GRAPHIC: PHOTO**  
(Frank Capece)

**LOAD-DATE:** July 30, 2007

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# Fury as ME keeps pa's brain in jar

By KATHIANNE BONIELLO

A Staten Island family already distraught over the death of their beloved father were reeling again when they learned, long after burying him, that the city medical examiner's office still had the man's brain and organs in a jar, according to a lawsuit.

Denise Downes said she'll never forget how, more than a month after Richard Candia Sr.'s funeral, she discovered the shocking truth.

"I wanted to find out the status of my father's autopsy results, and I was on the phone with the medical examiner's office and they said 'The brain is being examined right now,'" she said.

About four months later, the family learned the ME's office also was in possession of several other organs, including Candia's lungs, heart, kidneys, spleen, and blood and tissue samples, said their lawyer, Mitchell Bloch.

Though the family doesn't know for sure if entire organs or just pieces of them were kept by the medical examiner, an emotional Downes said it doesn't matter.

"We buried a shell," she said.

The medical examiner's office could only confirm that an autopsy was performed and that Candia died of natural causes.

Spokeswoman Ellen Borakove said families can request the return of tissue not destroyed by testing, and said the amount of tissue removed for autopsies is determined on a



**RICHARD CANDIA**  
Family sues city.

case-by-case basis.

"I find that to be a little bit unusual," Borakove said of the number of organs that were retained in Candia's case — though the spokeswoman couldn't offer more details because the case file was not immediately available.

The family's negligence lawsuit was filed July 20 in Manhattan Supreme Court against the city, the medical examiner's office, and the city Health and Hospitals Corp.

Downes' brother, Richard Candia Jr., requested the autopsy after finding their 63-year-old father dead in his home on July 25, 2005.

"I wanted to know how he died," Candia said.

But nothing prepared the family for the trauma of finding out they did not bury their loved one intact, or for the months-long battle with the city to get the organs returned.

"It was like he just kept dying all over again," Richard Jr. said. "I do not want anyone else to go through this."

kboniello@nypost.com

## 'Rape' vermin charged

A pair of teen cat burglars raped a young Japanese woman at gunpoint after they burst into her Central Park West apartment from a fire escape, prosecutors allege.

Laron Jackson and Steven Vasquez, both 15, came to steal from the apartment on July 9, but changed their plans after finding the woman home alone, according to law-enforcement sources.

The duo surprised her, threatened her with a gun,

and then raped her repeatedly, sources said.

Jackson and Vasquez each raped the victim four times, according to a grand-jury indictment.

They were arraigned Thursday in Manhattan Supreme Court, charged with four counts of forcible rape, kidnapping, burglary and sexual abuse.

They'll be tried as adults and will face up to 25 years in prison on each of the rape charges.

Brad Hamilton

# REF MADE

## NBA 'fixer' climbed by hook (shot) or 'crook'

By BRAD HAMILTON

in New York

and JANA WINTER

in Glen Mills, Pa.

Despite a privileged upbringing, allegedly crooked NBA referee Tim Donaghy has cheated, fished and fought most of his life, say people who know the 40-year-old father of four daughters.

Donaghy — fast-tracked into a \$260,000-a-year NBA job, thanks to family and friends — thumbed his nose at league rules by sneaking off to Atlantic City to bet hundreds per hand on blackjack and poker, those who know him said.

As a teen with an average academic record, Donaghy had a ringer take the SAT for him so he could gain admittance to prestigious Villanova University, which he attended for free because his mom worked there, according to a source at Donaghy's alma mater, Cardinal O'Hara HS, in Springfield, Pa.

The ref puffed up his official NBA résumé with fibs — and was shunned by other league officials after punching out fellow whistleblower Joey Crawford three years ago, several sources said.

"When Tim didn't get his way, he'd act like an out-of-control child," said Kit Anstey, a real-estate salesman in West Chester, Pa., who knows Donaghy through the town's Radley Run Country Club, of which both are members.

Anstey grew to fear Donaghy's temper after the two had a falling out over a failed real-estate deal.

"There was some concern every time Tim would visit the offices, especially the times he was angry," Anstey said.

To blow off steam, he said, Donaghy used to go with other country-club members to the Borgata casino in Atlantic City — "and from what I understand, he was given the royal treatment," Anstey said.

Donaghy was a regular player who bet substantial sums on blackjack and poker, a member of that group said.

"We used to go down to the Borgata late in the summer — sometimes in September before Tim's season would start," said the member, asking not to be identified. "It would be like get-away-from-the-wives weekend."

Those who saw Donaghy play in Atlantic City say he usually placed wagers in the hundreds of dollars.

The league did look into the gambling allegation in 2005. A private eye whom the league hired interviewed Anstey and others — but couldn't confirm the charge.

Yet even as a teen, Donaghy acted like he could flout the rules without consequences, sources said.

As a senior at Cardinal O'Hara in 1985, Donaghy wanted to attend Villanova, where his mother, Joan Donaghy, worked as a secretary, but his SAT score — about 800 — was too low, school sources said.

So in the spring of 1985, he took the test a second time, they said.

Donaghy walked out



**PUMP FAKE:** Tim Donaghy as a high-school jock in Pennsylvania. He apparently distorted his hoops record.

during the exam and into a bathroom — and another person walked in and took the rest of his test, according to a school staffer who witnessed the incident and reported it to a superior at the school.

When Donaghy's results came back showing he had scored about 1200, school officials grilled him about the matter — but he denied cheating on the test, the staffer said.

The officials decided to force him to take the test a third time, which Donaghy did, scoring about 1,000, the staffer said. He got into Villanova.

Donaghy later boasted about his sports prowess at the college, claiming in his official NBA bio that he played on Villanova's varsity basketball team. But he wasn't good enough for the squad, according to George Bennett, the baseball coach at the time.

"He went out for the team and he didn't make

it," Bennett said.

The bio also claims Donaghy was named an All-Catholic High School player in baseball — but that's not true, either, records show.

The Catholic league of area schools did name two Cardinal O'Hara players to its all-star team in 1985, but Donaghy wasn't one of them, the records show.

The NBA bio claims Donaghy was named to the All-Delaware County basketball team, another apparent falsehood.

That team, selected by the Delaware County Daily Times, did not include Donaghy, according to Bud Gardler, the basketball coach at Cardinal O'Hara.

But when it came to getting an elite job as an NBA official Donaghy didn't have to resort to lying or cheating — he had help on his way up.

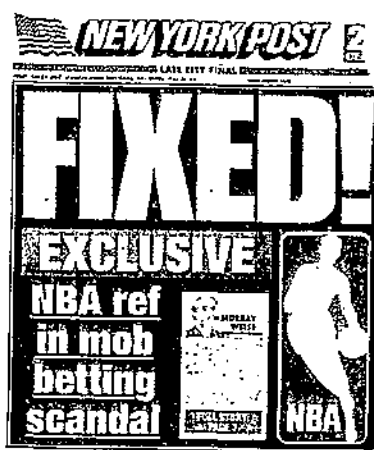
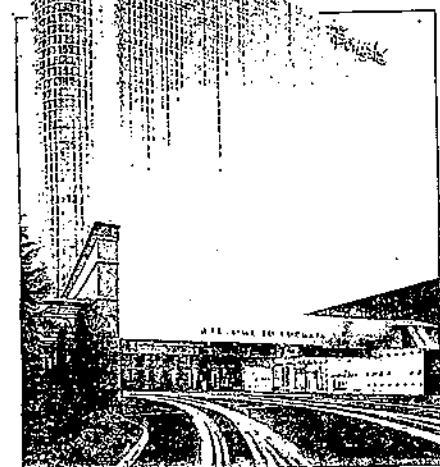
His father, Gerry, was a prominent NCAA ref who



# HIS OWN RULES



Bobby Marmez



handled ACC games and officiated during a number of Final Four contests.

Donaghys uncle, Bill Oaks, was a longtime NBA ref.

But the biggest local referee was Jake O'Donnell, a legendary NBA official who hails from nearby Clifton and helped others from the area break into the league — including current officials Joey Crawford and two Cardinal O'Hara alums, Mike "Duke" Callahan and Ed Malloy.

That trio became a tight-knit group.

"You never met three better people," Coach Gardler said.

Soon joining their ranks was Donaghys, who worked just five years in the minor-league CBA before moving up, partly due to O'Donnell's help, to a league that paid him six figures, sources who know the group said.

Donaghys often joined the others to hang out after games or have beers together when they weren't working, the sources said.

But three years ago, Donaghys shocked his pals by slugging

Crawford in the face over a dispute involving a "Today" show appearance. The raging ref allegedly lost his volcanic temper because he wasn't invited to make an appearance on the show several years ago.

After that, Crawford severed his personal ties to Donaghys, though they remained cordial professionally, the sources said.

Crawford and Malloy shunned Donaghys, too, making a point not to invite him to social gatherings, they said.

"We'll go our way, you go your way," is how one source described the trio's attitude toward Donaghys during the last couple of years.

But Donaghys allegedly maintained close ties to some less-than-savory characters.

Those who know the ref claim Donaghys played golf at Radley Run with convicted bookie Peter Ruggieri, 38, who according to court papers, was a bagman for a Vegas-based illegal sports-betting operation.

As The Post reported last week, it was allegedly Ruggieri

and a high-school classmate of Donaghys, James Battista, 42, who introduced the ref to a New York gambler with Gambino crime-family connections.

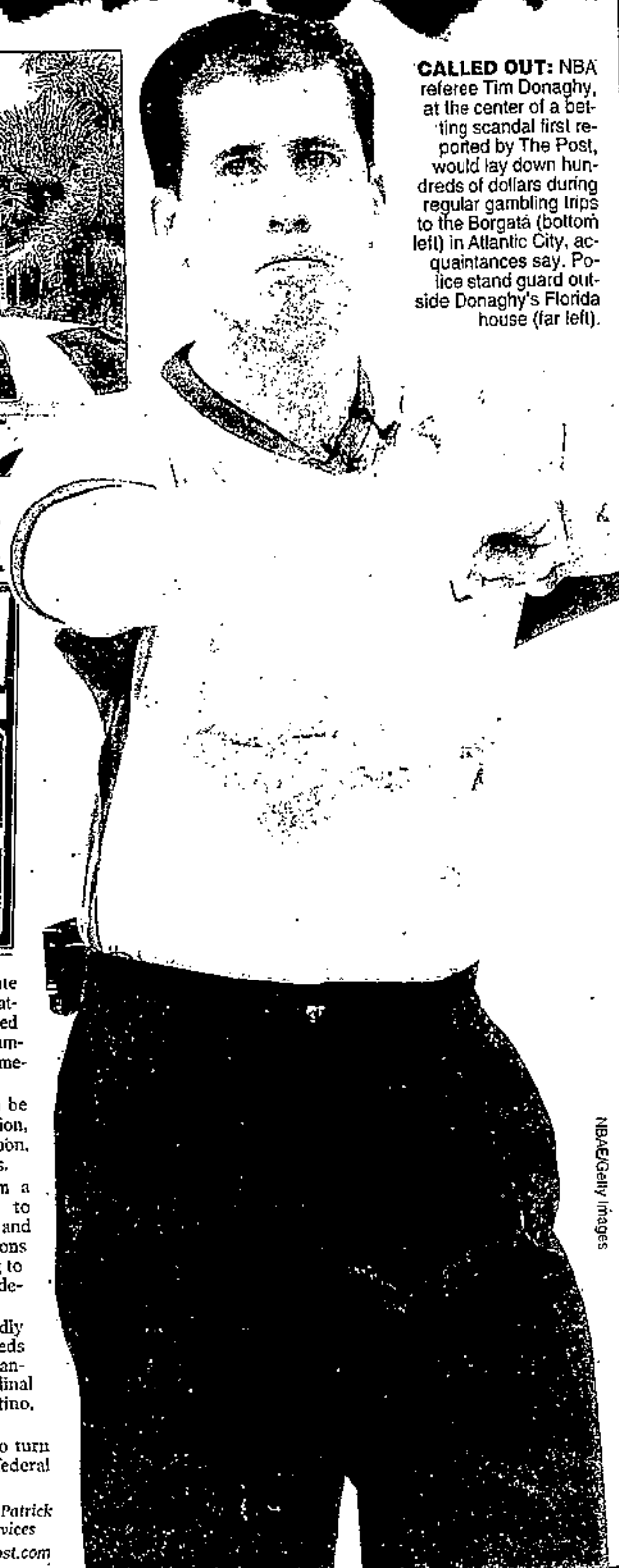
Battista is preparing to be indicted in the investigation, his lawyer, Jack McMahon, told The Associated Press.

"We're just kind of in a wait-and-see position to when it comes down and what the exact allegations are," he said. "He's going to face these charges and defend himself."

Battista was allegedly contacted by the feds months ago along with another huddy from Cardinal O'Hara, Thomas Martino, 41.

Donaghys is expected to turn himself in at Brooklyn federal court this week.

Additional reporting by Patrick Gallahue and Post Wire Services  
brad.hamilton@nypost.com



**CALLED OUT:** NBA referee Tim Donaghys, at the center of a betting scandal first reported by The Post, would lay down hundreds of dollars during regular gambling trips to the Borgata (bottom left) in Atlantic City, acquaintances say. Police stand guard outside Donaghys Florida house (far left).

NBA/Getty Images

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# Will other refs be tainted?

**Report: Donaghy might implicate 20 in NBA gambling probe**

BY KEN BERGER  
ken.berger@newsday.com

The NBA is refusing to comment on a radio report stating that Tim Donaghy has information about the gambling habits of 20 other referees, a development that could widen the scandal and increase the scrutiny of former colleagues.

John Lauro, Donaghy's defense attorney, also refused to comment on the report Friday on 1050 ESPN Radio in New York, which stated that Donaghy plans to detail about 20 other referees' involvement in some form of gambling as part of his agreement to cooperate with federal prosecutors. The type of gambling was not specified, but is believed to include casino gambling.

It is against NBA rules for all employees, including referees, to gamble at casinos. The collective bargaining agreement between the league and the referees' union stipulates that officials are barred from all forms of betting with the exception of off-season wagering at horse tracks.

"We haven't received any additional information and have no comment," NBA spokesman Frank said yesterday.

His July 24 news conference



John Lauro, attorney for former referee Tim Donaghy, would not comment on ESPN report.

addressing the Donaghy matter, NBA commissioner David Stern called the former ref "a rogue, isolated criminal," and the league has remained steadfast that no evidence has come to light implicating any other referee. In the same news conference, Stern stated adamantly that any referee found to have engaged in gambling activity would "most likely" be subject to "expulsion from the league and the job."

The NBA presumably has conducted its own investigation of Donaghy's activities and the possible gambling involvement of anyone else affiliated with the league. Such an investigation, typically conducted by a law firm, often is the first step when corporations are faced with a "whistleblower" former employee who has accepted a plea agreement from authorities and could assist them by

implicating others.

The potential for 20 referees, a third of the league's officiating staff, being implicated by Donaghy — even in legal gambling activity — only underscores how delicate the NBA's predicament is as it awaits Donaghy's sentencing Nov. 9.

And the situation could get even more serious for the league if local prosecutors all over the country attempt to



Check out Ken Berger's blog for thoughts and updates on the referee scandal.

NEWSDAY.COM  
/SPORTS

bring charges against Donaghy if he is found to have wagered on games in their jurisdictions. Maricopa County (Ariz.) prosecutor Andrew Thomas has sent a letter to Stern and the FBI stating that he would consider bringing state charges against Donaghy if he wagered on two Phoenix Suns playoff games he officiated this past season.

Under federal sentencing guidelines, Donaghy would receive a reduction in the proposed 25-year prison sentence related to his guilty plea based not only for cooperation with authorities, but also with the NBA.

Donaghy, 40, a 13-year veteran, pleaded guilty Wednesday to felony charges related to betting on NBA games and being paid to supply confidential information to gamblers. James Battista, 42, and Thomas Martino, 41, both from Pennsylvania, were arraigned on charges related to conspiring with Donaghy on NBA bets.

## BRIEFS

**FEDERER WILL MEET BLAKE FOR TITLE.** Roger Federer moved within a victory of his 50th career title by beating Lleyton Hewitt 6-3, 6-7 (7), 7-6 (1) in the semifinals of the Western & Southern Financial Group Masters yesterday in Cincinnati. He will play James Blake in today's final. Blake beat Nikolay Davydenko, 6-4, 6-2.

**HEININ, JANKOVIC IN FINAL.** Justine Henin beat 22-year-old Chinese qualifier Yan Zi, 6-3, 6-0, in the semifinals of the Rogers Cup in Toronto. Henin will play Jelena Jankovic today in

Jeff Overton shot a 6-under 66 to open a three-stroke lead after three rounds of the Wyndham Championship in Greensboro, N.C. Billy Mayfair (64), Anders Hansen (68), Carl Pettersson (68) and Tim Petrovic (68) were at 15-under 201, with 2003 winner Shigeki Maruyama (67) four strokes behind.

**OCHOA GRABS LEAD IN CANADA.** Lorena Ochoa moved into position for her second straight victory and fifth of the season, shooting a 7-under 64 to take a four-stroke lead in the Canadian Women's Open in Edmon-

## HORSE RACING

# Lady Joanne wins Alabama

BY PAUL MORAN  
paul.moran@newsday.com

**SARATOGA SPRINGS —** You don't beat Calvin Borel at his own game.

If Borel has become famous for winning races with daring moves through narrow openings on the rail, he is equally adept at shutting off another jockey attempting exactly that move.

The 127th Alabama Stakes, arguably the most prestigious race for 3-year-old fillies, ended yesterday in a wild, three-horse battle through the final furlong.



Yesterday: Lady Joanne survived a stewards' inquiry after a wild finish and won the 127th running of the Grade I Alabama Stakes for 3-year-old fillies.

Today: Nine horses whose average age is 6.2 years will contest the 13-furlong John's Call on turf.

Coming up: Kentucky Derby winner Street Sense is the principal figure in Saturday's 138th running of the \$1-million Travers Stakes.

Check out Paul Moran's blog for the latest from Saratoga at: [newsday.com/spa](http://newsday.com/spa)



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# Ref ready to blow whistle

BY BILL HUTCHINSON  
DAILY NEWS STAFF WRITER

DISGRACED NBA ref Tim Donaghy is ready to blow the whistle on the gambling activities of as many as 20 of his former hardwood colleagues, according to a report.

Facing up to 25 years in prison for his involvement in an illegal gambling ring, Donaghy is poised to help federal prosecutors expose the betting behavior of other pro basketball officials, according to ESPN Radio.

The revelations threaten to give the NBA another black eye and leave league Commissioner David Stern with egg on his face for claiming Donaghy was a "rogue, isolated criminal."

By squealing on his co-workers, Donaghy, 40, is likely angling for leniency when he faces his sentencing judge Nov. 9.

What he plans to say remains unclear, but ESPN Radio said it was believed to include information about refs gambling in casinos. With the exception of betting on horse races in the off-season, NBA refs are banned from gambling by their collective-bargaining agreement with the league.

In an exclusive interview with the Daily News last week, Donaghy said, "I'm very

sorry about what happened."

Lamell McMorris, director of the National Basketball Referees Association, told ESPN he was unaware of the gambling probe spreading beyond Donaghy.

"As far as we know, the misconduct was isolated to one individual, and we'll stand by that until proven otherwise," McMorris said.



Tim Donaghy

Donaghy, a 13-year NBA veteran, resigned last month after his name surfaced in the FBI probe. He has blamed a gambling problem and depression for his behavior.

He admitted in Brooklyn Federal Court last Wednesday to pocketing more than \$30,000 by passing inside tips on games to pals in an illegal gambling ring.

He admitted he even made picks in games he was assigned to referee, using special codes to communicate with his alleged cronies James Battista, 42, and Thomas Martino, 41.

Donaghy faces up to 25 years in prison, a half-million dollars in fines and the return of his ill-gotten gains. "I was in a unique position to pick the outcome of NBA games," Donaghy told a judge. "I received cash payments for successful picks. Some of my picks included games I had been assigned to referee."

whutchinson@nydailynews.com



Good Samaritan Sequiere Blanc points to window where he found his 71-year-old neighbor trapped by flames in Brooklyn yesterday. Photo by Debbie Egan-Chin/Daily News

## Hero scales burning bldg. to save neighbor

BY MIKE JACCARINO  
and BILL HUTCHINSON  
DAILY NEWS STAFF WRITERS

A COURAGEOUS Brooklyn man climbed a burning building yesterday to rescue a 71-year-old neighbor screaming for help from a second-floor window.

Sequiere Blanc, 53, braved flames and thick smoke to pluck Walter Alston to safety just seconds before the Farragut house was devoured by the blaze.

"It's amazing," said Alston's grateful son-in-law Eddie Karim, 36. "I don't know what to say. I thanked him

floor window, but he was frozen in fear.

"Flames were coming out of the next window. I said to myself I've got to go faster to catch him," said Blanc, who immigrated to New York from Haiti in 1988.

The 5-foot-7, 185-pound rescuer scaled a porch awning, pulled Alston from the window, put the heavy-set man on his back and climbed down to safety without a second to spare.

"I pulled him down and the flames went whoosh," said Blanc, explaining how the fire consumed the window. Alston had been in just seconds after the

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**DAILY NEWS**

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## Insider: Ref pal just bagman in old gamble ring

BY MIKE JACCARINO in *Phoenixville, Pa.* and MARC HERMANN in *Bradenton, Fla.*  
DAILY NEWS WRITERS

Monday, July 30th 2007, 4:00 AM

The gambling buddy of disgraced NBA referee Tim Donaghy was little more than a runner for a small-time suburban Philadelphia betting ring, a member of the operation said yesterday.

James Battista, who was nicknamed "Baa Baa" and "The Sheep," did little more than place bets for the ring of five buddies busted in 1998, the insider claimed.

"He wasn't the brightest bulb in the Christmas tree," he said of Battista, who is at the center of an FBI investigation as one of Donaghy's alleged bookies.

Donaghy, a 13-year veteran NBA referee, is suspected of betting on pro hoops games and tipping off gamblers to confidential information.

But at Donaghy's home in Florida, there was no talk of the federal probe as friends gathered for a pizza and wine party by his backyard pool.

Friends said the ref doesn't talk about the case against him and told buddies he doesn't know when he will be charged.

"We're here for moral support," said one pal named Vito. "We're just trying to be good friends."

Battista, 42, is two years older than Donaghy, but they were close friends growing up playing Catholic League basketball.

Battista was one of five buddies suspected of forming a gambling operation out of a room in one of their homes a decade ago.

State cops suspected the group was taking bets, but the insider insisted they were strictly gamblers. They would spend hours looking for an edge in baseball games, usually based on which pitcher might be on a hot streak or which umpires might be working a particular game.

Battista was far from the brains of the bunch, and his role was limited to that of a glorified bagman, the source said.

"He would follow the guys who knew what they were doing," said the ring member. "He's not a bookmaker, he never was a bookmaker. He's a professional gambler."

All five bettors were nabbed after Pennsylvania State Police uncovered the ring during a probe into a much bigger betting ring.

But they mostly escaped with probation, and the insider scoffed at published reports that one of the men was a conduit to the Gambino crime family.

DONAGHY-2251

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# NEW YORK POST

## PARTY'S OVER

By JANA WINTER in Havertown, Pa., SAMUEL GOLDSMITH in Bradenton, Fla., & CHUCK BENNETT in N.Y.

July 30, 2007 --

[Click here to see how the Post broke the story.](#)

Pennsylvania friends of disgraced former NBA ref Tim Donaghy and his pal, reputed bookie James Battista, have begun testifying before a federal grand jury in Brooklyn, sources close to the case said yesterday.

Meanwhile, speculation has grown over whether Donaghy will cut a deal with the feds and blow the whistle on his allegedly mobbed-up gambling cronies. He could arrive in New York as early as this week, sources said.

The ex-referee spent the weekend holed up in his Bradenton, Fla., home, enjoying pizza last night with friends.

One buddy, Vito Bavaro, said Donaghy was awaiting a call from the feds ordering him to New York.

His friends gave no hint as to whether Donaghy would own up to allegedly betting on games he worked and providing information to the mob.

"He's not talking about it," Bavaro said. "He's in a tough spot."

Battista, Donaghy's former classmate at Cardinal O'Hara HS in Springfield, Pa., has not yet been asked to testify, his lawyer, Jack McMahon, said. McMahon has said his client would fight any charges if he's indicted.

Another classmate, Thomas Martino, also has caught the attention of feds. Martino, a Lotus-driving Marcus Hook, Pa., resident, was questioned by the FBI last month and fears he may be implicated in the scandal, his father told The Post last week.

It's unclear who has already testified before the federal grand jury.

The feds also are exploring what, if any, role convicted bookie Peter Ruggieri played in introducing his golfing buddy Donaghy to Gambino family mobsters, a source said.

"That just made a bad situation worse," the source said of Donaghy's involvement with gambling.

A family friend told The Post that Donaghy, 40, had been Ruggieri's golf partner in West Chester, Pa., before he moved to Florida. Ruggieri, who grew up near Donaghy in Drexel Hill, was busted twice for illegal sports betting in 1996, once in Delaware County, Pa., and once in Las Vegas.

Ruggieri got probation on the Pennsylvania bookmaking charge and a \$2,000 fine for the Vegas operation, in which he served as bagman, according to court papers.

DONAGHY-2253

Ruggieri, 38, did not respond to calls for comment, but a source close to the Pennsylvania betting ring said, "We were professional gamblers. It didn't last very long."

He said Battista, who goes by the nickname "Baa Baa," was a clerk. "He didn't make decisions, he just bet," the source said.

The NBA betting scandal has been the talk of the sports world.

"It's terrible for the family and the game of basketball," said ESPN basketball commentator Dick Vitale, who lives in the same Florida gated community as Donaghy.

Reading the New York Post over breakfast at the Broken Egg in Bradenton, Vitale said he knew Donaghy and sometimes played tennis with the referee's wife.

"He was a great ref," Vitale said.

*cbennett@nypost.com*

## Home

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# NEW YORK POST

## RUNNING OUT CLOCK ON REF

By STEFANIE COHEN

July 31, 2007 -- Disgraced NBA ref Tim Donaghy's expected guilty plea to gambling charges will not occur before next week at the earliest, law-enforcement sources said yesterday - in yet another delay that raised eyebrows among top defense lawyers.

Those lawyers said the continued lag in getting Donaghy into Brooklyn federal court suggests prosecutors are preparing a bigger case against other defendants. (3A)

"I would be surprised if this guy is the one and only," said New York criminal defense lawyer Joseph Tacopina.

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**Search Terms:** Date: 07/30/2007-07/31/2007 **Subject:** mafia

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Copyright 2007 Times Publishing Company  
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St. Petersburg Times (Florida)

July 31, 2007 Tuesday

**SECTION:** B; Pg. 1B

**LENGTH:** 903 words

**HEADLINE:** Referee not gambling with choice of lawyer

**BODY:**

By CARRIE WEIMAR

Times Staff Writer

TAMPA - The phones buzzed on the 21st floor of the Bank of America building in downtown Tampa.

News of the federal investigation into an NBA referee suspected of betting on games he officiated rocked the sports world last week. But the furor escalated when he hired Tampa lawyer John Lauro.

Lauro has a reputation for representing whistle-blowers, the New York Daily News breathlessly noted. Speculation rose that Bradenton referee Tim Donaghy would implicate others in the league.

Suddenly, Lauro's office was fielding 50 interview requests a day from media outlets across the country.

"It's been a media circus," said Lauro, 49. "It's frustrating for my client. It's frustrating for me because you want to get your side of the story out. But you can't do anything that might jeopardize the case."

This isn't the first time Lauro has found himself the subject of media attention. The former federal prosecutor specializes in white-collar criminal defense. Since moving to Tampa in 1988, he has built a reputation for being prepared, thorough and fearless in the courtroom.

Lauro has represented everyone from a Wall Street businessman accused of working with the Mafia to an unhappy diner who skipped out on his bill because he was displeased with the amount of seafood on his pasta.

But Lauro says his most successful cases are the ones no one ever hears about.

"My goal, when I represent businessmen, is to get them in and out as quickly as possible," Lauro said, "without any publicity at all."

\*\*\*

Donaghy, 40, who refereed for 13 seasons with the NBA, resigned last month. Authorities are examining whether, during the past two seasons, he made calls to affect the point spread in games on which he or associates had wagered.

According to the Associated Press, Donaghy had a gambling problem and was approached by low-level mob associates through an acquaintance. Donaghy is expected to turn himself in to authorities next week.

Lauro said he can't comment on the case. However, during a news conference in New York Tuesday, NBA Commissioner David Stern said Lauro told him a plea deal may be in the works.

DONAGHY-2257

The lawyer divides his time between Tampa and an office on Park Avenue in New York City. He maintains homes in both cities: an apartment in Murray Hill, a residential area just south of Grand Central Station, and a two-story Mediterranean-style home on Davis Islands.

His is a boutique practice, with two other associates in his office. But his list of clients is long.

"He's been involved in virtually every high-profile case that comes through Tampa," said Gary Trombley, a Tampa lawyer and Lauro's longtime friend. "There's only a handful of people who typically get those calls, and he's one of them."

One of Lauro's biggest triumphs came in 2004, when he represented Tampa nightclub manager Dewayne Allen Levesque, who was nabbed in a prostitution sting.

The manager of the Pink Pony, Levesque faced charges of racketeering, conspiracy, and aiding and abetting prostitution. He was found not guilty after Lauro raised questions about the Tampa Police Department's tactics, including the decision to allow investigators to touch the breasts and pubic regions of the club's dancers.

"It was the first time a client physically picked me up and hugged me after a verdict was read," Lauro said, chuckling.

Last year, Lauro represented Ralph Paul, the New Port Richey man charged with defrauding Angellino's Italian Restaurant after he left without paying a \$46 tab.

Paul argued that the Palm Harbor restaurant shouldn't have charged him for his meal because the amount of seafood on his shrimp and scallop verdura was inadequate.

Jurors sided with Paul, but the case touched off a public outcry, with restaurateurs vowing to bar Paul from their establishments and some people labeling him a spoiled bully.

Lauro said he admired his client's stance. It was the job of the jury, not the public, to judge the facts of the case, he said.

"I've never been swayed by public reaction," he said.

\* \* \*

Lauro grew up outside New York City, on Long Island's Jones Beach. The son of a department store manager and a school district employee, he knew he wanted to be a lawyer by age 12. After receiving his undergraduate and law degrees from Georgetown University and a year in private practice, Lauro worked as an assistant U.S. attorney in the Eastern District of New York.

He moved to Tampa in 1988 with his wife, Darlene. They later divorced.

Colleagues say they're not surprised to see Lauro at the center of a big criminal case.

Robert O'Neill, criminal division chief in the U.S. Attorney's Office in Tampa, got to know Lauro when he represented witnesses in several federal trials. Lauro was always prepared and thorough, O'Neill said. "When a client hires him, he really gets involved in the case," he said. "By the time he brings a witness to us, he has totally debriefed that person."

Lauro says 15-hour workdays are routine. He is juggling several cases beyond Donaghy. He represents Faisal Islamic Bank of Sudan, accused of funding terrorist activity. He flies back and forth from South Carolina to represent the former president of Medical Manager, who faces charges of accounting fraud and money laundering.

It makes for a busy schedule.

But Lauro wouldn't change a thing. "I love it," he said. "This is my life. It's my passion."

Carrie Weimar can be reached at (813) 226-3416 or [cweimar@sptimes.com](mailto:cweimar@sptimes.com)

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August 10, 2007 Friday

**SECTION:** SPORTS**ACC-NO:** 20070810-PD-Ref-probe-making-life-difficult-for-buddies-0810**LENGTH:** 1087 words**HEADLINE:** Ref probe making life difficult for buddies**BYLINE:** Joseph Santoliquito and William Bender, Philadelphia Daily News**BODY:**

Aug. 10--TIM **DONAGHY'S** alleged gambling activities have not only caused headaches for the NBA's top brass, they're making life difficult for his buddies in the Philadelphia suburbs where he grew up.

Names are being dropped, fingers are being pointed, and those who were tight with the former NBA referee have been ensnared by a prolonged FBI investigation.

"What you have now is that the feds have turned the lights on and the cockroaches are scrambling, all pointing fingers at one another trying to save themselves," a law-enforcement source familiar with the **Donaghy** probe told the Daily News. "It doesn't seem to matter who these guys implicate, even if it's someone who made a few bets on the golf course with **Donaghy**."

Agents have interviewed at least a dozen individuals in the area, particularly those who have ties to **Donaghy** over the past 2 years, sources said this week.

Among them, according to a source, is Jack Concannon, a former Monsignor Bonner basketball star and former coach of the Friars, who was questioned recently by the FBI. He is not considered to be a target at this time, the source said. During a brief interview with the Daily News this week, Concannon declined to disclose whether he has hired an attorney.

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The feds also have talked with Michael Pacor, a longtime friend of **Donaghy's**, said his personal attorney, John I. McMahon Jr.

"He tells me he's as clean as a whistle, and it's been indicated to him that he's not a target," McMahon said. "They're interviewing anybody and everybody who has any association with this man."

Concannon is known to have golfed with **Donaghy** and bet with **Donaghy**, but it is unclear whether he was aware of **Donaghy's** alleged role in betting on or influencing games, or leaking confidential NBA information that allowed other gamblers to profit.

No charges have been filed against **Donaghy**, who resigned last month. The word yesterday was that **Donaghy** had given the slip to reporters who have been staking out his Bradenton, Fla., home, but his exact whereabouts were unknown last night. His attorney, John Lauro, did not return a phone call.

**Donaghy** and Concannon were known to "make a wager or two between them on the golf course, which is something a lot of people do on a golf course," an associate of Concannon's said.



Pete Ruggieri, a professional gambler from Glen Mills who attended Monsignor Bonner at the same time as Concannon, told authorities last month that he piggybacked on bets placed by a man he identified only as "Jack" and reputed bookie James "Baa Baa" Battista, of Phoenixville.

Ruggieri, who has denied having any gambling connection to **Donaghy**, eventually realized that "Jack" and Battista were winning at a 60 to 70 percent rate by betting on games **Donaghy** officiated, his former attorney said last week. Others eventually picked up the trend, the attorney said, and the Las Vegas lines began changing on games that **Donaghy** refereed.

Concannon, who is part-owner of Sassa & Concannon Insurance Agency, in Norwood, Delaware County, laughed when asked if he was the "Jack" that Ruggieri was referring to.

"I'll say this, I knew Tim **Donaghy**, and I've been asked a lot of questions lately about Tim **Donaghy** from a number of different people," Concannon, a 1983 Bonner grad, told the Daily News on Tuesday. "I can't say who asked the questions, but I've been asked. That's really all I have to say about this right now. I knew Tim **Donaghy**. Right now, I have three lines calling in and I have to get back to business. I said all I have to say."

This is tearing Concannon up, a source close to him said. He has a respectable business, the source said, and doesn't want his name associated with the **Donaghy** situation.

Concannon has been keeping a low profile lately, as have others who want to avoid being publicly linked to a man NBA commissioner David Stern has described as a "criminal." Even among some of his friends, **Donaghy's** name has become radioactive.

Ruggieri could not be reached for comment this week. Battista's attorney, Jack McMahon Jr., has said he expects his client to be indicted but that he plans to fight the charges and not cooperate with authorities.

Thomas Martino, 41, of Marcus Hook, who attended Cardinal O'Hara with **Donaghy** and Battista, was reportedly interviewed by the FBI as part of the betting probe. Martino, a friend of **Donaghy's** who frequently visited his West Chester home, has not returned calls. Neither has his attorney.

"I think that's all Concannon may be guilty of is [guilt by association]," the law enforcement source said. "He has a great reputation in this area and he certainly doesn't fit the profile of the others who the FBI have spoken to or are interested in in the **Donaghy** case. If you look at everyone allegedly involved, they've either been arrested or have some kind of betting charge against them. I don't think you'd find a parking ticket with someone like Concannon."

During his playing days at Bonner and Saint Joseph's, Concannon, a 6-6 forward, was known as a gritty player. He was named second-team Daily News All-City honoree for Bonner in 1983. In combination with center Rodney Blake, an '84 grad, that season he paced the Friars to their first Catholic League championship since 1960.

Concannon went into coaching after his playing career and was Bonner's head man for five seasons ending in 1996. He compiled a 76-55 overall record and three of his teams advanced to the playoffs.

As for Pacor, he "basically cooperated with [investigators]," said McMahon, his attorney.

McMahon said he wasn't present for the interview but doesn't believe Pacor, of West Chester, has "any specific information as to who may or may not be involved" in the betting scheme that landed **Donaghy** and Battista in the hot seat.

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Pacor used to play golf regularly at the Radley Run Country Club with **Donaghy**.


"Pacor was like **Donaghy's** righthand man at Radley Run . . . Anything **Donaghy** wanted, Pacor ran to get it. That's the kind of relationship I remember them having," said a club member who knew both and asked that his name not be used.

Daily News sports writer Ted Silary contributed to this report.

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August 14, 2007 Tuesday

**SECTION:** SPORTS

**ACC-NO:** 20070814-BC-BKN-REFEREE

**LENGTH:** 675 words

**HEADLINE:** Source: Donaghy, two others expected to be indicted

**BYLINE:** By Joseph Santoliquito, Philadelphia Daily News

**DATeline:** PHILADELPHIA

**BODY:**

PHILADELPHIA \_ Disgraced NBA referee Tim Donaghy and two Delaware County, Pa., men who have been linked to him in a gambling probe are expected to turn themselves in Wednesday morning at federal court in Brooklyn, N.Y., a source told the Philadelphia Daily News Tuesday night.

Donaghy, 40, is expected to plead guilty to charges that he bet on games he officiated, a source said. Federal arrest warrants are also expected for James "Baa Baa" Battista, 42, of Phoenixville, and Tommy Martino, 41, of Marcus Hook, the source said. The charges against Battista and Martino are unclear. They plan to surrender at the U.S. District Court for the Eastern District of New York.

All three attended Cardinal O'Hara at the same time in the early 1980s.

Donaghy's attorney, John Lauro, did not respond Tuesday night to several messages left by the Daily News.

Battista is one of two bookmakers with whom Donaghy allegedly did business. Battista's attorney, Jack McMahon Jr., has said in past interviews that his client plans to defend himself vigorously.

~~"I have no comment," McMahon said Tuesday night when reached about the pending indictments.~~

Martino was reportedly interviewed by the FBI in June. Martino, a friend of Donaghy's who frequently visited his West Chester, Pa., home, did not return calls. Martino's attorney also did not return calls or e-mails Tuesday night.

"I can't comment," said Martino's father, Charles, when reached at his home Tuesday night.

Donaghy, a graduate of Villanova who moved from West Chester to Bradenton, Fla., in 2005, resigned in a letter to commissioner David Stern on July 9.

"We were told this evening he would be pleading tomorrow, but we were given no further information," Mark Broussard, the NBA's director of basketball communications, said Tuesday night.

Peter Ruggieri, a noted professional gambler, told federal investigators three weeks ago that he picked up a high-percentage betting trend over the last several years from acquaintances who were winning at a 60 to 70 percent rate on games Donaghy officiated, his former lawyer said. He has denied any betting connection to Donaghy.

DONAGHY-2263

One of those acquaintances was Battista.

Ruggieri is not expected to be indicted, although there is a past connection between Ruggieri, 39, of Glen Mills, and Battista. They were in a group of six who were prosecuted by the Delaware County District Attorney's office in 1998 for criminal conspiracy and bookmaking. All six received community service and were placed into the county's Accelerated Rehabilitative Disposition program for non-violent offenders.

Federal agents had descended on the Philadelphia suburbs in recent weeks as they continued their investigation, interviewing at least a dozen individuals, particularly those with ties to Donaghy over the past two years, sources have told the Daily News.

Many associated with Donaghy have been keeping a low profile lately to avoid being publicly linked to a man NBA commissioner David Stern has described as a "criminal." Even among some of his friends, Donaghy's name has become radioactive.

The investigation has focused on the 2005-06 and 2006-07 seasons, during which time Donaghy is alleged to have bet on NBA games and provided information that enabled others to profit, including officials' game assignments.

Federal law-enforcement officials first heard Donaghy's name mentioned in wiretaps involving the **Gambino** crime family in New York.

Donaghy had been holed up in his Florida home since the story broke several weeks ago, but word last Thursday was that he had given the slip to reporters who had been staking out his home. His whereabouts since have been unknown.

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The Bradenton Herald (Florida)

August 15, 2007 Wednesday

**SECTION:** FRONT; Pg. 1

**LENGTH:** 419 words

**HEADLINE:** Local ref will plead guilty, source says

**BYLINE:** KAMON SIMPSON, [ksimpson@bradenton.com](mailto:ksimpson@bradenton.com)

**BODY:**

Lakewood Ranch's most infamous resident, disgraced former NBA referee Tim Donaghy, will gain a new address today - a federal courthouse in Brooklyn, N.Y.

The Associated Press reported late Tuesday that Donaghy, the subject of an FBI probe into game fixing and the mob, plans to plead guilty in federal court today to charges he bet on games he officiated, according to an anonymous source close to the investigation.

Donaghy's attorney, John Lauro, federal prosecutors and the NBA would not comment on the matter.

Reporters spent several weeks outside Donaghy's home at 6919 Dominion Lane in Lakewood Ranch Country Club since the story broke July 21, hoping to catch a glimpse of Donaghy, 40, who spent 13 years as an NBA referee before resigning July 9.

Donaghy is accused of not only placing wagers on games he officiated, but also of providing inside information to others, including the schedules of other league referees. Law enforcement officials have examined whether Donaghy made calls to affect the point spread in games on which he or his associates wagered thousands of dollars during the 2005-06 and 2006-07 seasons.

The FBI, which began to focus on Donaghy during an investigation of the **Gambino** crime family, also alleges the referee had a gambling problem and was approached by low-level mob associates through an acquaintance.

~~During a press conference July 24, NBA commissioner David Stern called Donaghy a "rogue, isolated criminal" and said the scandal was the "worst situation I have ever experienced either as a fan of the NBA, a lawyer for the NBA or a commissioner of the NBA."~~

Donaghy was a referee in 772 regular-season and 20 playoff games in the NBA the past 13 seasons. A 1989 graduate of Villanova, he grew up in the Philadelphia area and lived in West Chester, Pa., before a dispute with neighbors led to a lawsuit and forced him to move. He relocated to Manatee County in 2005.

Donaghy's home in an exclusive gated area of Lakewood Ranch has been for sale, listed for more than \$1.3 million, since before the scandal broke.

The Manatee County Sheriff's Office was forced to increase patrols around the home starting July 22 after Donaghy's family claimed it received threatening phone calls. According to the report, a male caller told the person on the phone, "You're fired and a dead man."

Donaghy is expected to cooperate with authorities in the betting probe, which is expected to bring charges against others outside the NBA. No other NBA officials or players are expected to be involved.

DONAGHY-2266



August 15, 2007

## Donaghy Set to Plead Guilty in Betting Case

By THE NEW YORK TIMES

Tim Donaghy, the former N.B.A. referee accused of betting on games he officiated, is expected to plead guilty in federal court in Brooklyn today, according to a person with direct knowledge of the case who spoke on condition of anonymity because the plea had not yet been entered.

Donaghy will appear before United States District Court Judge Carol B. Amon.

Donaghy's lawyer, John Lauro, and Mike Bass, a spokesman for the N.B.A., declined to comment.

Federal law enforcement officials wanted to determine whether Donaghy bet on N.B.A. games during the past two seasons, and if he had made calls since December that affected any game's margin of victory while being coerced by members of organized crime.

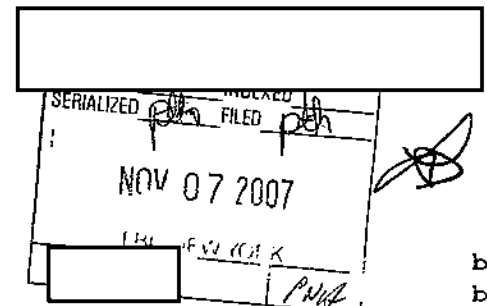
A federal grand jury in Brooklyn had been reviewing the case, which has been going on for several months. The F.B.I. first contacted the N.B.A. on June 20.

Donaghy, 40, resigned July 9 after 13 seasons as an N.B.A. referee.

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# NEW YORK POST

## 'BET' REF TO CALL FOUL ON SELF

By MURRAY WEISS and STEFANIE COHEN

August 15, 2007 — The rogue referee at the center of an explosive NBA point-shaving scandal will surrender today and plead guilty to charges stemming from his wagering on games he officiated, law-enforcement sources said.

Tim Donaghy, 40, who also allegedly provided inside information to mobsters, is expected to appear before Brooklyn federal Judge Carol Amori on relatively minor gambling-related offenses, according to the sources.

The plea will cap weeks of deal-making between Donaghy's lawyer and prosecutors.

According to a source, Donaghy will acknowledge his part in the foul play - but cooperate, claiming he was a victim of mob-linked pressure.

The illegal-gambling scam spanned the past two seasons and feds zeroed in over the past year. NBA officials were horrified at the allegations and insisted Donaghy was nothing more than an "isolated criminal."

The feds are also expected to lock up two of Donaghy's former cronies today - reputed bookie James Battista and high-school pal Thomas Martino, the sources told The Post.

Neither Donaghy's lawyer, John Lauro, nor prosecutors, would comment.

The Post broke the bombshell story late last month, disclosing that Donaghy was a gambler who, deep in debt, began betting on games he worked.

The Post also reported Donaghy confided his wagering to people who threatened to destroy his career if he didn't share inside info with them.

Since the scandal broke, Donaghy had been holed up at his Bradenton, Fla., home, though he apparently gave reporters the slip sometime last week.

Battista, 42, Donaghy's former classmate at Cardinal O'Hara HS in Springfield, Pa., was contacted by the FBI several months ago regarding his pal's involvement in betting on games.

Battista's lawyer, Jack McMahon, said at the time that his client "intends to defend himself against any charges, if there are any."

Martino was questioned by feds in June, his father told The Post.

The feds are also looking at a fourth man involved, convicted bookie Peter Ruggieri, a professional gambler suspected of introducing Donaghy to Gambino crime-family gangsters, a source said.

Ruggieri, 38, was busted twice for illegal sports betting in 1996, once in Pennsylvania and once in Las Vegas. Battista was arrested with him in the Pennsylvania case and placed on probation.

DONAGHY-2269

Ruggieri grew up near Donaghy and the other two suspects in Glen Mills, Pa., and attended Monsignor Bonner HS in nearby Drexel Hill.

Its unclear when or if he'll be hauled in.

Ruggieri's lawyer, Christopher Warren, told news outlets last week his client informed the FBI that he long suspected Donaghy of passing inside info to two bettors with unusually long winning streaks.

Ruggieri allegedly told feds he noticed Battista and a man called "Jack" almost always won when betting on games at which Donaghy was calling the shots.

Warren also denied that Ruggieri is linked to the mob.

Battista's lawyer also has denied mob links.

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# Department of Justice

United States Attorney Roslynn R. Mauskopf  
Eastern District of New York

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OFFICE: (718) 254-6323

**NATIONAL BASKETBALL ASSOCIATION REFEREE PLEADS GUILTY TO  
PARTICIPATING IN AN ILLEGAL SPORTS BETTING SCHEME INVOLVING NBA GAMES**

**Two Coconspirators Also Charged**

BROOKLYN, NY – Roslynn R. Mauskopf, United States Attorney for the Eastern District of New York, and Mark J. Mershon, Assistant Director-in-Charge, Federal Bureau of Investigation, New York Division, announced the guilty plea of Timothy Donaghy, age 40, a 13-year veteran referee with the National Basketball Association (NBA), in connection with his participation in an illegal sports betting scheme in which he received cash for making winning gambling “picks” on the outcome of NBA games, including games in which he officiated, relying on nonpublic and other information to which he had unique access by virtue of his position as an NBA referee. In addition, a complaint was unsealed this morning charging James Battista, age 42, and Thomas Martino, age 41, for their participation in the NBA betting conspiracy. (X)  
P.M.

Donaghy pled guilty this morning before United States District Judge Carol Bagley Amon to conspiracy to commit wire fraud as part of a scheme to deprive the NBA of his honest services and to conspiracy to transmit gambling information. He faces a maximum sentence of 25 years in prison. Battista and Martino are scheduled to have their initial appearances later today before United States Magistrate Judge Ramon E. Reyes, Jr., at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York. The charges in the complaint against Battista and Martino are merely allegations, and they are presumed innocent unless and until proven guilty. If convicted, Battista and Martino each face a maximum sentence of 20 years in prison.

**BACKGROUND**

The NBA, headquartered in New York City, is a global sports and entertainment organization that includes a men’s professional basketball league of 30 teams located throughout the United States and Canada. The NBA employs approximately 60 referees who officiate pre-season, regular season, and playoff games between NBA teams. Each game has an officiating crew of three referees. NBA referees are subject to a collective bargaining agreement and to rules of conduct set by the NBA. Those rules of conduct require that NBA referees conduct themselves according to the highest standards of honesty, integrity, and professionalism, as well as refrain from any conduct that may impair the faithful and thorough discharge of their duties. Among other things, NBA referees are generally prohibited from having any involvement in

sports betting or bookmaking. In particular, NBA referees are prohibited from placing bets on NBA games and from providing information to others for the purpose of assisting them to place bets.

The NBA does not disclose the identities of an officiating crew to the public, or to NBA teams, until game time. However, the NBA does prepare master referee schedules listing the officiating crews for upcoming NBA games. These schedules are not disclosed to the public or to NBA teams. NBA referees are prohibited from disclosing upcoming referee assignments and other proprietary NBA information.

During the NBA season, professional bookmakers routinely predict the team favored to win each NBA game and set a point spread by which the favorite is expected to win. This prediction is referred to as the "betting line." If a bettor selects the favored team, the bettor wins if that team wins the game by the predicted point spread or by a greater number of points. If a bettor selects the team that is not favored, the bettor wins if that team wins the game or loses by a lesser number of points than the predicted point spread.

#### THE NBA BETTING SCHEME

Based on the plea proceedings and the court filings, for the past 13 years, including the 2006-2007 NBA season, Timothy Donaghy was employed as an NBA referee. Approximately four years ago, he began placing bets on NBA games, including games he officiated. At his guilty plea proceeding this morning, Donaghy admitted that in approximately December 2006 he began to receive cash payments from his coconspirators in exchange for providing them with betting recommendations or "picks" on NBA games, including games Donaghy officiated. Donaghy and a coconspirator agreed on a code that Donaghy would use over the telephone to indicate his picks. Donaghy admitted that he received payments from his coconspirators for each correct pick. Donaghy received no payment if his pick was incorrect.

In determining his picks for NBA games, Donaghy admitted that he relied on nonpublic and other information to which he had unique access by virtue of his position as an NBA referee. That information included his knowledge of the officiating crews for upcoming NBA games, the interactions between certain referees and certain players and team personnel, and the physical condition of certain players. In addition, Donaghy compromised his objectivity as a referee because of his personal financial interest in the outcome of NBA games. Donaghy admitted that he concealed this scheme from the NBA in order to prevent its detection.

"The participation of an official of one of the world's premier sports leagues in an illegal betting scheme involving his own sport demonstrates the corrupting allure of easy money," stated United States Attorney Mauskopf. "Today's guilty plea and charges serve as a warning that seemingly easy money often comes at a high price." Ms. Mauskopf praised the work of the FBI's New York Division, the agency responsible for conducting the government's investigation, and added that the investigation is ongoing.

FBI Assistant Director-in-Charge Mershon stated, "The appeal of legitimate professional sports is that the outcome of the competition is determined solely by the competitors. That an official – responsible to his sport, its teams, its players, and fans, and duty-bound to be impartial and incorruptible – placed bets on games he officiated undermines everyone's faith in the integrity of the competition."

The government's case is being prosecuted by Assistant United States Attorneys Thomas J. Seigel and Jeffrey A. Goldberg.

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August 15, 2007 Wednesday 5:52 AM GMT

**SECTION:** SPORTS NEWS

**LENGTH:** 333 words

**HEADLINE:** Source: Former NBA referee Tim Donaghy to plead guilty Wednesday

**BYLINE:** By PAT MILTON, Associated Press Writer

**DATELINE:** NEW YORK

**BODY:**

Former NBA referee Tim Donaghy planned to plead guilty in federal court on Wednesday to charges alleging he wagered on games he officiated, a person familiar with the betting scandal probe said.

Donaghy was to surrender at Brooklyn federal court, the person said on condition of anonymity because charges had not been made public yet.

NBA spokesman Tim Frank told the AP the league was informed Tuesday that Donaghy would plead Wednesday but was given no further information.

Donaghy's attorney, John Lauro, and federal prosecutors declined to comment. NBA commissioner David Stern said last month the referee's lawyer told the league his client was contemplating a plea.

Besides allegedly placing his own wagers, investigators also examined whether Donaghy provided inside information to others, including referees' schedules. The referee had a gambling problem and was approached by low-level mob associates through an acquaintance, a law enforcement official said.

The FBI first contacted the NBA on June 20 to talk about a referee alleged to be gambling on games, and the two sides met on June 21, Stern said last month. Donaghy resigned July 9 after 13 years as a referee, though Stern said he would have fired him sooner but was told it might affect the investigation.

Stern blamed a "rogue, isolated criminal" for the betting scandal that has devastated the league and threatened the credibility of every referee.

Donaghy was rated in the top tier of officials, Stern said, and there was nothing suspicious about the frequency of his foul calls. He was assigned to work in the second round of the playoffs, with his last NBA game coming during the Phoenix-San Antonio Western Conference semifinal.

No other NBA officials or players were expected to be involved in the scandal, which Stern called the "most serious situation and worst situation that I have ever experienced either as a fan of the NBA, a lawyer for the NBA or a commissioner of the NBA."

Others outside the NBA are expected to be charged.

**LOAD-DATE:** August 15, 2007

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## Newsday.com

### NBA ref pleads guilty to gambling charges

BY ROBERT E. KESSLER AND ANTHONY M. DESTEFANO

[robert.kessler@newsday.com](mailto:robert.kessler@newsday.com) and [tony.destefano@newsday.com](mailto:tony.destefano@newsday.com)

10:44 AM EDT, August 15, 2007

Former NBA referee Tim Donaghy pleaded guilty in a Brooklyn courtroom Wednesday to federal gambling charges and now faces up to 25 years in prison.

Donaghy, 40, whose possible involvement with gamblers linked to the mob has shaken up the world of professional sports, spoke in a soft voice during his half-hour session before U.S. District Court Judge Carol Amon. Donaghy was released on a \$250,000 bond.

He pleaded to one count of conspiracy to commit wire fraud and one count of conspiracy to transmit wagering information. The crimes took place from December 2006-April 2007, he said. As part of the guilty plea, Donaghy must also pay a \$500,000 fine and at least \$30,000 in restitution.

Donaghy did not admit to betting on any games. But he said he was paid to use inside knowledge to pick winning teams for a ring of gamblers.

He told the judge he deprived the NBA of the right to his honest services as an employee, and said he tipped off the gamblers about which crews of officials were assigned to games, the status and health conditions of players and the interactions between officials and certain players.

He provided predictions about how games might go, and was paid only for successful picks. The gamblers would place bets based on his information, he said.

Donaghy had been expected to surrender Wednesday to FBI agents at federal court in Brooklyn along with two former high school acquaintances called "small-time mob wanna-bes," sources familiar with the investigation said.

The two, who attended Cardinal O'Hara High School in Springfield, Pa., along with Donaghy, were identified as James Battista, 42, of Phoenixville, Pa., and Thomas Martino, 41, of Marcus Hook, Pa. They are expected to surrender to authorities on the charges and plead not guilty, the sources said.

Donaghy's lawyer, John Lauro, declined to comment Tuesday night.

Battista's lawyer, Jack McMahon, has previously said that his client had at least one gambling arrest, and had operated a restaurant in suburban Philadelphia.

Martino co-owns a hair salon in Springfield, Pa., with his father. The family has previously declined to discuss the investigation. Sources have acknowledged that Martino had hired a lawyer to defend himself after he was questioned several months ago by FBI agents.

The agents, from a Queens-based squad that is targeting the upper echelons of the Gambino-organized crime family, came across Donaghy's name as someone involved in gambling on basketball games during the course of one of their investigations, according to sources.

NBA commissioner David Stern has called the alleged actions of Donaghy the result of an "isolated criminal." He said he had no information that any other NBA employees were involved in the scandal.

*Staff Writer Joseph Mallia contributed to this report.*

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**DAILY NEWS**

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## Yep, I did it, admits dirty ref

### Donaghy says he was in a 'unique position to pick the outcome of NBA games'

BY TAMER EL-GHOBASHY, SCOTT SHIFREL and ADAM NICHOLS  
DAILY NEWS STAFF WRITERS

Thursday, August 16th 2007, 4:00 AM

Disgraced NBA referee Tim Donaghy admitted yesterday to pocketing more than \$30,000 by passing inside tips on games to pals in an illegal gambling ring.

The crooked ex-official whose dirty dealings soiled the reputation of the pro hoops game pleaded guilty to charges that could put him behind bars for 25 years.

Every time his tip was on the mark, the rogue official was paid \$5,000.

"I was in a unique position to pick the outcome of NBA games," Donaghy, 40, told a judge in Brooklyn Federal Court. "I received cash payments for successful picks. Some of my picks included games I had been assigned to referee."

From the insider perch, Donaghy added, "I was aware of the manner in which officials interacted with players and called games, as well as the condition of players prior to a game."

Federal prosecutors alleged that Donaghy was betting on games he refereed back to 2003. But he denied that yesterday as he pleaded guilty to conspiracy to commit wire fraud and conspiracy to transmit bets and wagers.

Donaghy said he used a special code to communicate his tips to his betting buddies, James Battista, 42, and Thomas Martino, 41, two ex-high school classmates also charged yesterday.

Battista's lawyer Jack McMahon said outside court he expects Donaghy has made a deal with prosecutors and will give testimony against his client.

"Mr. Donaghy walked away with a nice situation for himself," McMahon said. "He is the linchpin, and he seems to have worked his way into a nice situation. I don't know if that is fair."

In addition to jail time, Donaghy is facing fines totaling half a million dollars and has agreed to cough up the \$30,000 in ill-gotten gains.

All three men were released after posting a \$250,000 bond.

Donaghy, a 13-year NBA veteran, resigned July 9 after news surfaced that he was at the center of an FBI probe. The betting scheme was uncovered during an investigation into the Gambino crime family in Brooklyn, but none of the defendants has mob ties.

His lawyer said yesterday a gambling addiction led to his involvement.

"He's had a severe gambling problem for awhile that went untreated," said lawyer John Lauro.

DONAGHY-2281

Donaghy, who lives in Florida, also told Judge Carol Bagley Amon he was taking drugs for depression and anxiety.

"He expresses a great deal of remorse and concern about the pain that he's caused his family, his friends and his co-workers," Lauro said.

It was unclear yesterday whether others are involved in the gambling scandal, but U.S. Attorney Roslynn Mauskopf said the investigation is continuing.

NBA commissioner David Stern said the league was still reviewing its officiating program.

Lamell McMorris, a spokesman for the National Basketball Referees Association, the union representing game officials, said: "We recognize that a cloud has descended upon all referees. But we are committed to showing the public that this was an isolated event and that NBA officiating is conducted at the highest levels of honesty, integrity and fairness."

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## Donaghy made pick same day he reffed Sixers-Celtics

BROOKLYN, N.Y. - A date last December when Tim Donaghy was officiating the Sixers vs. Boston Celtics game at the Wachovia Center is one of two specific instances mentioned in court papers filed yesterday.

On Dec. 13, Donaghy "spoke with a coconspirator by telephone regarding his pick for an NBA game," the papers said. The following day "he met with coconspirators in Pennsylvania and received a cash payment," according to the papers.

The Celtics beat the Sixers, 101-81, handing the Sixers their ninth consecutive loss and sixth straight without Allen Iverson after the superstar had asked to be traded.

The Celtics were favored by 3 1/2 by game time, but Vegas Vic had the Celtics as a two-point choice in that morning's *Daily News*. The over/under was 194 points.

The box score shows the Celtics were called for 25 fouls and the Sixers were called for 24. Each team shot 34 free throws.

The other date listed in court papers is Dec. 26. Donaghy officiated Washington's 116-101 win over Memphis. The Wizards were an eight-point favorite and the over/under was 207. Memphis was called for 23 fouls and Washington for 25. Memphis shot 37 free throws and Washington attempted 24.\*

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New York Post, Monday, October 22, 2007

# NBA denies disciplining 6 referees

*Post wire reports*

The NBA yesterday denied a published report that the league has disciplined six referees for violating anti-gambling rules for officials.

The league's internal review of its entire officiating program in the wake of the Tim Donaghy scandal — which is being conducted by former federal prosecutor Lawrence Pedowitz — is not complete yet, according to league spokesman Tim Frank.

"There is no truth to this report," Frank said. "The commissioner has made it clear that we will have details to share once the review is completed."

Commissioner David Stern acknowledged earlier this month the internal review has indeed discovered violations from referees besides Donaghy. But the resultant penalties are not expected to be issued until the review is finished.

Donaghy, who pleaded guilty to two felony charges after admitting to betting on games he officiated, will be sentenced in Brooklyn on Jan. 25.

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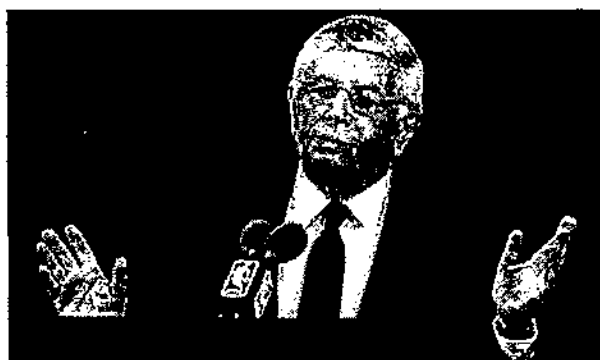
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## John Smallwood | Donaghy's plea is some good news for NBA



TIMOTHY A. CLARY/Getty Images

NBA commissioner David Stern referred to Tim Donaghy as a "rogue, isolated criminal" in his July 24 press conference.

THAT HUGE SIGH of relief you heard coming down I-95 was NBA commissioner David Stern and his staff exhaling from their offices in New York City.

Yesterday, former NBA referee Tim Donaghy pleaded guilty to two felony charges in a betting scandal that has the league fighting to assure fans concerned about the integrity and legitimacy of its games.

Donaghy could get up to 25 years in prison for conspiracy to engage in wire fraud and transmitting wagering information through interstate commerce.

But more important, as far as the NBA is concerned, Donaghy didn't name any other names.

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He didn't say he was part of some underground betting conglomerate that featured other NBA referees, players or coaches.

In essence, Donaghy confirmed, at least for the moment, what Stern said to fans worldwide a month ago - that the case was about a "rogue, isolated criminal."

"As expected, former NBA referee Tim Donaghy pleaded guilty today to betting on NBA games, including games in which he officiated, and providing confidential information to others who bet on NBA games," Stern said in a statement released by the league. "We will continue with our ongoing and thorough review of the league's officiating program to ensure that the best possible policies and procedures are in place to protect the integrity of our game."

Talk about game-winning shots at the buzzer.

DONAGHY-2287

The NBA got the absolute best result it could have hoped for in a situation as ugly as its worst nightmare.

Not only did U.S. District Judge Carol Bagley Amon describe how Donaghy worked with his co-conspirators, she specifically noted that he concealed the scheme from the NBA and other referees to avoid detection.

She shoots.

Then, after Donaghy entered his guilty plea, accepted a \$500,000 fine and agreed to pay at least \$30,000 in restitution, his lawyer John Lauro said, "He expresses a great deal of remorse, and concern about the pain that he's caused his family, his friends and his co-workers."

He scores.

The league's biggest fear since this story broke in July was that Donaghy might say that he did not act alone, that other NBA referees were getting a piece of the action.

Even the slightest hint that some other person employed by the NBA was involved, and this mess would escalate to a point at which it could take years for the league to recover.

But a lone gunman, one who was just able to slip through the league's background checks and security measures, was always going to be manageable. It was going to be an embarrassment, but it was never a threat to tear down the NBA completely.

"It's of small consolation to me but you know, doing the best you can doesn't always mean that criminal activity by a determined person can be prevented," Stern said in July.

Stern did what he had to do then - take the hit, admit that there were flaws in the system and promise to correct them.

And as long as the public was convinced that Donaghy was the only one, the league, by implementing some security measures, chopping off a few heads, excluding Stern's, and spending lots of money to correct things, was always going to be able to regain the trust of most of the public.

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We like our morals, but we love our sports. An honest effort to clean things up is all that's required for a second chance.

Of course, there will always be conspiracy theorists, but as long as Donaghy was the only one, Stern wasn't going to have that hard of a time convincing people that NBA games would be decided on their merits, because the vast majority of people want to believe that the games are decided on their merits.

As much as we like to complain about bad calls and say games are fixed, we really don't want to believe that, because doing so would take away the games we love.

Over the next few months, Stern and the NBA will announce changes and implement

procedures to reassure the public that a situation like Donaghy's will never happen again.

NBA referees will surrender more civil liberties and submit to even more examinations of their private lives, because they'll have no other choice.

Donaghy has made it impossible for any referee to raise a whistle in protest lest he/she be accused of having something to hide.

"We recognize that a cloud has descended upon all referees, but we are committed to showing the public that this was an isolated event and that NBA officiating is conducted at the highest levels of honesty, integrity and fairness," Lameil McMorris, a National Basketball Referees Association spokesman, said in a statement.

We want to believe, and because Donaghy didn't implicate any other referees, the NBA will ultimately convince us that it's OK to believe again. \*

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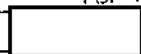
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August 16, 2007 Thursday 9:25 AM GMT

**SECTION:** SPORTS NEWS

**LENGTH:** 1005 words

**HEADLINE:** Authorities: Former ref bet on NBA games since '03, took payoffs

**BYLINE:** By BRIAN MAHONEY, AP Basketball Writer

**DATELINE:** NEW YORK

**BODY:**

How much Tim Donaghy profited from his betting scheme, and how far he went to do so, still isn't known.

This much is certain: Donaghy wagered on games he officiated, and he did it longer than previously thought.

The disgraced former referee started betting on NBA games in 2003, long before he began tipping off high-stakes gamblers with inside information and recommending which teams to bet on with a reward of \$5,000 if his picks hit.

The stunning allegations emerged Wednesday as Donaghy pleaded guilty to two felony charges in a scandal that rocked the league and tarnished the integrity of the sport.

"By having this nonpublic information, I was in a unique position to predict the outcome of NBA games," Donaghy, standing ramrod-straight with his hands clasped in front of him, told the judge in a Brooklyn courtroom.

Donaghy, who was released on \$250,000 bond, faces a maximum of 25 years in prison when he is sentenced Nov. 9 for conspiracy to engage in wire fraud and transmitting betting information through interstate commerce. He also must pay a \$500,000 fine and at least \$30,000 in restitution to the government.

Still, many questions remain. Authorities did not spell out specific games that Donaghy officiated and placed bets on, nor would they say if he made calls during the game to help a team cover the spread.

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Commissioner David Stern said the NBA would "continue with our ongoing and thorough review of the league's officiating program to ensure that the best possible policies and procedures are in place to protect the integrity of our game."

Defense attorney John Laura told The Associated Press that Donaghy was "relieved this part of the proceeding is over and we look forward to completely resolving this matter in the coming months."

"Tim deeply regrets his involvement in this matter and especially the pain it has caused his family, friends and co-workers," Laura said.

The plea had been widely expected in recent weeks, but court documents released Wednesday revealed new details about the depth of the scandal.

Court papers say the 40-year-old Donaghy began placing bets on NBA games in 2003. Starting last December, he began giving gambling associates sensitive information, including which crews would officiate games and how the various officials and players interacted.

DONAGHY-2291

His actions "compromised his objectivity as a referee because of his personal financial interest in the outcome of NBA games," the government said.

It was highly lucrative for Donaghy. While in Toronto, Phoenix and Washington, D.C., to referee games earlier this year, Donaghy received thousands of dollars in cash payoffs from the gamblers, authorities said.

In one exchange, according to court papers, Donaghy provided a tip about an NBA game on Dec. 13, 2006. That same day, he worked a 76ers game in Philadelphia against the Boston Celtics.

The next day, Donaghy met with the gamblers in Pennsylvania and received a cash payment, authorities say. A person close to the investigation, speaking on condition of anonymity because the case is ongoing, said the payment was for a successful tip on the 76ers-Celtics game.

The point spread moved two points before the game went off the board a fairly significant swing with Boston going from a 1 1/2-point favorite to a 3 1/2-point choice. Boston won by 20.

Two alleged co-conspirators, identified by prosecutors as James Battista, a professional gambler with the nicknames "Baba" and "Sheep," and Thomas Martino, also appeared in court Wednesday. They were ordered released on \$250,000 bond after their arraignment on charges of conspiracy to defraud the NBA.

Battista's lawyer, Jack McMahon, said a grand jury is expected to hear the case and, if indicted, his client intends to plead innocent.

"Mr. Donaghy walked away with a nice situation for himself. He is the linchpin and he seems to have worked his way into a nice situation," McMahon said. "I don't know if that is fair."

The betting scheme was uncovered during an investigation into the **Gambino** crime family in Brooklyn. None of the defendants in this case was charged with organized crime affiliation.

"He has no more association with an organized crime family than me, and I'm not associated with any organized crime," said McMahon, Battista's lawyer.

Stern said last month that the FBI first contacted the NBA on June 20 to talk about a referee alleged to be gambling on games, and Donaghy resigned July 9 after 13 years as an official. Stern said he would have fired him sooner but was told it might affect the investigation.

Stern blamed a "rogue, isolated criminal" for a scandal that threatened the credibility of every referee. But players are trying not to get too caught up in it.

"Honestly, I don't think anybody's thinking about it. Us players, we haven't discussed it," superstar Kobe Bryant said. "It's not something that's on the radar for us. We know that the commissioner and the league and whoever else is handling the situation, they're going to take care of it, so we don't have much to worry about."

Donaghy, who earned \$260,000 last year, was rated in the top tier of officials, and there was nothing suspicious about the frequency of his foul calls, Stern said. He was assigned to work in the second round of the playoffs, with his last NBA game coming during the Phoenix-San Antonio Western Conference semifinal.

The NBA places huge restrictions on NBA referees when it comes to gambling. They are not allowed to enter a casino, for example.

"An unfortunate situation has taken place," New Jersey Nets guard Jason Kidd said. "But I think the NBA will definitely learn from this but move forward. Win or lose, the players control that."

Donaghy turned over his passport and must seek permission to travel anywhere other than Pennsylvania, Florida or New York.

In court, Donaghy said he is receiving psychiatric treatment for his gambling problem and is taking antidepressant and anxiety medication.

Associated Press Writer Pat Milton in New York and AP Sports Writer Andy Bagnato in Las Vegas contributed to this report.

**LOAD-DATE:** August 16, 2007



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## Sources: Ref ready to drop dime on others

By JOSEPH SANTOLIKUITO

For the Daily News

Disgraced NBA referee Tim Donaghy is expected to turn over the names of former colleagues who bet at golf courses, racetracks and casinos during the season, and are involved in football pools, sources told the *Daily News*.

While the activities are not illegal, they would violate the referees' contracts that prohibit all gambling except at horse tracks in the offseason. (12) PMH

Donaghy, 40, pleaded guilty last Wednesday in federal court in Brooklyn, N.Y., to conspiring to commit wire fraud and conspiring to transmit wagering information across state lines. He reportedly gave federal prosecutors information that will implicate about 20 other referees - about a third of the officiating staff - as part of his cooperation with government officials.

"I don't know if there are 20 NBA refs even that close to Tim Donaghy," a source close to one referee said. "Donaghy was pretty much an outcast by a number of referees, especially the local guys. They threw their arms up a while ago with him. They didn't want anything to do with him, so I don't where this comes from."

The referees are under a league-imposed gag order.

A local law-enforcement source said this seems to be a case of Donaghy trying to turn over anything he can to potentially lighten his sentence. Donaghy is facing a maximum of 25 years in prison, fines up to \$500,000 and at least \$30,000 in restitution. "When the FBI went into this area to ask questions, they didn't ask about any other NBA refs, they asked about what Donaghy was doing," the source said.

The league has said it has received no evidence that anyone other than Donaghy is involved in betting on games. \*

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## Sources: Local refs considered Donaghy an outcast

By JOSEPH SANTOLIKUITO

For the Daily News



The relationship between Tim Donaghy and the other Philadelphia area referees was first strained long ago.

That the disgraced NBA referee reportedly will turn in as many as 20 of his former colleagues for taking part in gambling activities has ruptured the relationship beyond repair, sources said.

As part of his cooperation agreement with federal authorities, Donaghy will provide the names of officials who bet at golf courses, race tracks during the season and casinos, and are involved in football pools, the *Daily News* reported yesterday. Those activities would violate NBA restrictions.

Donaghy, who resigned July 9, was one of six NBA referees from the Delaware Valley last season, joining Joe Crawford, Mike Callahan, Ed Malloy, Steve Javie and Mark Wunderlich. Crawford, Callahan and Malloy all attended Cardinal O'Hara, from where Donaghy graduated in 1985.

"Donaghy betrayed all his buddies in the NBA. That's what he does, betray people," said a

former close friend of Donaghy who is also close with several referees. "If you're close to Tim, he could be a loyal and close friend. But if he feels you've crossed him in some way, he'll knife you in the back in a second."

Another source friendly with several officials said the referees he has spoken with are tired of dealing with all the questions surrounding the gambling probe.

"It's hell, it really is," the source said. "One of the referees told me that if they were going to really look into this and take drastic action, they'll get rid of 75 percent of all NBA refs for doing everything from playing in a \$5 card game to pulling a slot machine.

"And they all have made a bet or two involved with something. But none of these guys have done anything as criminal as Donaghy. A lot of these guys are hurt and confused by this. Some of these guys are scared for their jobs, but I just hope the NBA considers the source."

Donaghy's motivation, however, might be to reduce a potential sentence. Donaghy, 40, pleaded guilty in federal court in Brooklyn, N.Y., last Wednesday to conspiring to commit wire fraud and conspiring to transmit betting information across state lines.

The activities allegedly involving the other referees are not illegal, but would violate NBA restrictions that prohibit referees from gambling other than at horse tracks during the offseason.

Said a local law-enforcement source: "This sounds like a case of a desperate guy drowning, trying to drag down as many guys as he can with him, and he really has nothing to hold on to, other than throwing out there that they might have bet on a golf course or in a casino. From what I'm told, a lot of these other refs didn't even like the guy."

The league said it has received no evidence that any referees other than Donaghy bet on games.

On Tuesday, the NBA announced the hiring of former federal prosecutor Lawrence Pedowitz to manage a review of the league's gambling policies and how it hires, trains and monitors officials.

The referees are not allowed to comment under a league-imposed gag order, but the former Donaghy close friend described the "NBA referee fraternity" as being furious with Donaghy.

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"Donaghy didn't know what these guys were doing and what they weren't doing," he said. "He'll basically lie about anything to make himself look good, and I think that came out in the plea. He's certainly not beyond making up lies to make his coworkers in the NBA look bad. I'm sure all of these guys curse the day they ever met Tim Donaghy, or even helped him get in the league."

Several sources said Donaghy has not been close socially with the local referees for 2 to 3 years. One said Donaghy "wore out his welcome" with them.

"Crawford and Callahan have helped Donaghy, went out of their way to give him advice, and this is the thanks they get. They get spit on," the second source close to several refs said this week.

About 4 years ago, Donaghy supposedly punched Crawford in the face during an NBA referees camp in New Jersey, because Crawford did not invite Donaghy to a morning TV show that paid \$500 for the appearance.

"That's true," said another source. "Crawford helps this guy into the league and that's how he repays him. You'll never come across a group of guys better than Crawford, Malloy and Callahan, and Javie and Wunderlich are standup guys. They've had nothing to do with Donaghy for a while. Playing golf with Donaghy? I don't think they'd sit for 2 minutes with him."

The league, however, will be supporting Donaghy financially. Indications are that Donaghy, who spent 13 years in the NBA, will receive a severance package as well as his pension. A source said the pension plan provides for up to \$78,000 annually for life, based on seniority. The pension is paid at age 58, but can be taken as early as 45, with a 5 percent reduction for each year before 58. The plan is guaranteed for 10 years, meaning should Donaghy die within the 10 years since he began drawing the pension that his heirs would receive the money. \*

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# NEW YORK POST

## DIRTY REF'S 'SIDELINE' GAL EYED BY FEDS

By JANA WINTER in Phoenix, Ariz., and DAN MANGAN in N.Y.

August 27, 2007 — Married ex-NBA referee Tim Donaghy has a busty, blond gal pal in Arizona, and federal investigators want to speak to her as a part of their probe of his illicit gambling. The Post has learned.

Donaghy's "friend" is 41-year-old divorced Cheryl Wolfe-Ruiz, a mother of two who owns a sports bar in Phoenix.

Wolfe-Ruiz has known Donaghy — a Florida resident who pleaded guilty Aug. 15 to federal gambling-related charges — since at least 2003, sources said.

The hard-bodied blonde is known to have dined with Donaghy and attended games he refereed in Phoenix — and sources said they got even cozier at times.

"Tim called her his girlfriend," one source said.

In early January, Donaghy, 40, traveled to Phoenix for a game, and also to receive money from his pal, Thomas Martino, for providing inside information about an other game that was used for gambling purposes, court records state.

A lawyer for Martino, who has since been charged in connection with the scheme, declined to comment.

Over several days, Donaghy repeatedly dined with Wolfe-Ruiz, a female friend of hers and Martino, the source said. The foursome went to a strip club at least one night, a source said.

On two nights, Donaghy slept in a Marriott room he had rented for Wolfe-Ruiz, despite the fact that the NBA had rented him another room in the hotel, the source said. Martino slept in the ref's room.

A source said this sleeping arrangement occurred during several of Donaghy's trips to Phoenix.

And Donaghy was nonchalant about that despite the fact that he has a wife, Kim, and four daughters, the source said.

"I can do whatever I want. Divorce is on the horizon," Donaghy has said, according to the source and to several of the referee's golf buddies.

After agreeing to be interviewed by The Post, Wolfe-Ruiz abruptly canceled after being sent a list of questions about her relationship with Donaghy.

But her lawyer, Robert Robinson, said she and Donaghy "did not have a sexual relationship." He also said that "within the last two weeks, my client was contacted by the federal government.

"They asked to speak with her, and about a week ago, she contacted me and retained me as her attorney," said the lawyer, adding that Wolfe-Ruiz had not consented to an interview with criminal investigators.

DONAGHY-2300



Robinson said Wolfe-Ruiz "did not do anything" connected to Donaghy's gambling or his providing confidential game information to Martino and another man, James Battista, also charged.

The lawyer said Donaghy "did provide tickets to games for her and her boyfriend. I know she went to dinner with [Donaghy] on numerous occasions. There were many times when there were other people there."

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# Divorcing ref's bad dare-ball

By SAMUEL GOLDSMITH

Disgraced former NBA referee Tim Donaghy was shocked last week when his wife filed for divorce — especially after he'd bragged she lacked the guts to send him packing.

"If she knows what's good for her, she'll never try to leave me," Donaghy allegedly told a friend recently. "She says she wants out, and I always say, 'I dare you. I dare you to leave me, bitch!'"

The friend also told The Post that Donaghy fears that his wife will take him to the cleaners in court.

"If anyone is leaving anyone, I'm leaving her," the friend quoted him as saying, "but ... only when I know she can't get her hands on my money."

When Kim Donaghy finally took him up on his dare Thursday, she demanded a ton of alimony, custody of their four young daughters and "exclusive use" of their \$1.35 million Bradenton, Fla., home. The Philadelphia Inquirer wrote yesterday.

According to court documents, she's requesting a "disproportionate share" of the family assets because Donaghy's "voluntary actions have resulted in his loss of income."

He pleaded guilty last month to fixing NBA games and is facing up to 25 years in prison and \$500,000 in fines. His dirty tricks have already cost the family his \$250,000-a-year salary, \$250,000 in bail money and an untold sum in legal bills.

New York Post, Sunday, September 9, 2007

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# Ref to lose wife, too

## She files for divorce even as he faces up to 25 yrs. in slammer

BY TAMER EL-GHOBASHY  
and RICH SCHAPIRO  
DAILY NEWS STAFF WRITERS

HE HAS LOST his coveted job as an NBA referee and could soon lose his freedom.

Now Tim Donaghy will have to face his downfall without his wife.

Kimberly Donaghy has filed for divorce from the disgraced ref in a Florida court, claiming the couple's 12-year marriage is "irretrievably broken," according to the Philadelphia Daily News.

In court papers, the embittered wife says her husband's

"voluntary actions" put the couple's financial security in jeopardy.

She is seeking a "disproportionate share of the assets based on the actions of [Tim Donaghy] and the manner in which they have impacted the family finances and financial resources for the future," according to court documents.

In addition to securing custody of their four daughters, Kimberly Donaghy wants "exclusive use" of the couple's \$1.35 million home in Bradenton, Fla., in the event they're unable to live to-

gether as the divorce plays out.

The wife of the scandal-scarred former ref politely declined to answer a reporter's questions yesterday.

"I'm sorry," Kimberly Donaghy said, standing on her front steps. "I can't say anything."

Tim Donaghy, a 13-year NBA veteran who was earning \$260,000 a season, is facing up to 25 years in prison for his role in an illegal gambling ring that rocked the league when news of the scandal broke in July.

The 40-year-old ex-ref resigned from his post after his name surfaced in the FBI probe.

Kimberly Donaghy had stood

by her embattled husband as the controversy grew, at one point posting an angry letter outside their home demanding that reporters leave them alone.

Tim Donaghy admitted last month in Brooklyn Federal Court to pocketing more than \$30,000 by passing insider tips on games — some of which he was officiating — to his pals. He will be sentenced Nov. 9.

His lawyer John Lauro declined to comment yesterday.

Kimberly Donaghy's lawyer Leslie Talbot

could not be reached for comment.

With Rebecca Blue in Bradenton, Fla., and John Marzulli in New York  
telghobashy@nydailynews.com



Tim Donaghy

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# Wife hopes other gal puts . . .

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New York Post, Monday, September 10, 2007 nyppost.com



**DOUBLE DRIBBLE:** Kim Donaghy (right) filed for divorce from dirty referee Tim Donaghy apparently after seeing this photo of his gal pal, Cheryl Wolfe-Ruiz, in The Post.

By JANA WINTER  
and DAN MANGAN

The wife of crooked NBA ref Tim Donaghy — who two years ago denied to her rumors that he had an Arizona girlfriend — was spurred to file for divorce last week after The Post confirmed the other woman's existence, a source said.

Kim Donaghy now believes news of the other woman will help her get a hefty divorce settlement from Tim — despite her having signed a prenuptial agreement 12 years ago, another source said. Kim in the past had tearfully told friends: "I want to leave the bastard, but I can't because of the prenup. If I leave, I get no money unless I have serious proof that he's ruined the marriage," according to that source.

The developments come as Tim Donaghy awaits sentencing on federal gambling-related charges. He last month admitted in Brooklyn federal court to taking money in exchange for feeding gambling buddies inside information about basketball games.

"At some point, maybe two years ago, [Kim] had heard rumors about a girl in Arizona," said a source close to Kim. "He [Tim] was bragging about her to his golf buddies, and I guess one of the wives told her, so she confronted him."

"He convinced her that it wasn't true. He said, 'No, no,' and just kept denying it. And she believed him."

But two weeks ago, The Post revealed Tim had a woman he had called his "girlfriend" in Phoenix — Cheryl Wolfe-Ruiz, a busty, blond sports-bar owner.

## REF IN PRENUP PERIL

That story disclosed that Tim had slept in a hotel room he rented for Wolfe-Ruiz when he traveled to Phoenix for a game, despite the fact that the NBA had rented him another room.

"When the story came out, and she was staring at the face of her husband's girlfriend in The Post, that was it," the source said. "And shortly thereafter, she started filing the papers. It was just too much."

Kim Donaghy filed for divorce

last Thursday in Florida, claiming the marriage is "irretrievably broken."

Tim's criminal-defense lawyer, John Lauro, yesterday declined to comment on the divorce and purported prenup agreement. But Lauro angrily denied Tim had ever told a friend that "if she knows what's good for her, she'll never try to leave me ... she says she wants out and I always say, 'I dare you, I dare you to leave me.'"



The Post yesterday quoted a friend of Tim as saying that.

Lauro said, "Those quotes are false ... Someone for whatever reason is trying to portray Tim in a false light."

A source said Kim long had contemplated divorce but held off on it because she had signed a prenup that shielded Tim's assets.

"Kim would always say, 'I'm a prisoner in the castle.' She was miserable, but couldn't leave because of the prenup," the friend recalled. "If she left him, she wouldn't get any money. She's got four kids she's got to raise. She needed the money, the money was always why she stayed."

"There was that huge picture of this blond, smiley girlfriend in The Post, she certainly had grounds to leave him," Kim's friend said.

"Kim's case is basically proven for her. She knew she had to step up once the story came out. She needs the money and now she'll get it. She's got proof that he cheated on her."

Additional reporting by Samuel Goldsmith in Bradenton, Fla.

dan.mangan@nyppost.com

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**DAILY NEWS**

## Tim Donaghy's betting buddies try to cop plea

BY JOHN MARZULLI  
DAILY NEWS STAFF WRITER

Thursday, September 13th 2007, 4:00 AM

Two betting buddies of disgraced NBA ref Tim Donaghy are negotiating with the feds to plead guilty to gambling-related charges, according to a document filed in Brooklyn Federal Court.

James (BaaBaa) Battista and Thomas Martino were arrested last month in the scheme to gamble on basketball games with inside information passed to them by Donaghy. But the new document puts an expected indictment on hold while defense lawyers "are engaged in plea negotiations which they believe are likely to result in a disposition of this case without trial."

Yesterday, Battista's lawyer, Jack McMahon, said, "Obviously, I will listen to whatever the government has to offer, and do what is in the best interest of my client."

Assistant U.S. Attorney Jeffrey Goldberg declined to comment. Donaghy, who resigned from the NBA in July, has admitted participating in the sports betting ring and is cooperating with the government.

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September 20, 2007

## Referees Will Be in Spotlight as Soon as the First Ball Bounces

By HOWARD BECK

RYE BROOK, N.Y., Sept. 19 — Standing at the foot of a crowded lecture hall, Ronnie Nunn declared forcefully, and repeatedly, that the coming season of N.B.A. games would be adjudicated by a refereeing staff that ranked as “the best in the world.”

The audience, composed mostly of rookie players, seemed receptive enough to the message from Nunn, the N.B.A.’s director of officiating. But it is the public that will most concern league officials when preseason games begin next month. They could be the most scrutinized exhibition games in league history.

A veteran N.B.A. referee, Tim Donaghy, acknowledged this summer that he conspired with gamblers. He is awaiting sentencing. Two former referees have criticized the league’s officiating program. And several current referees have anonymously called for the dismissal of Nunn and his supervisor, Stu Jackson, the executive vice president for basketball operations.

Skepticism of N.B.A. officiating has almost certainly never been higher — which Nunn and Jackson, both speaking publicly on the subject for the first time, acknowledged Wednesday.

“The level of scrutiny for the officials has always been there,” Jackson said. “And it’s no secret with the returning staff that there’s going to be even more scrutiny. But it really gives us all an opportunity to come together even closer in trying to continue to get better, in terms of refereeing performance on the floor.”

Jackson and Nunn made their comments during a 10-minute interview, after their participation in the league’s annual rookie transition program. They could not comment specifically on the Donaghy case, because it is still active. Nor could they discuss potential changes in the officiating program, because an internal review — spearheaded by a former federal prosecutor — had not been concluded. One outcome that seems assured, however, is that neither Nunn nor Jackson will lose his job. Commissioner David Stern essentially said as much last month.

“It’s never been an item for discussion,” Jackson said.

Rather than address criticism by the retired referees Mike Mathis and Hue Hollins, Jackson referred to Stern’s response in August. Hollins has said that most referees want Jackson and Nunn dismissed. The

DONAGHY-2310

commissioner attacked the competency of Mathis and Hollins and insisted that the quality of refereeing was better now. However, some current referees have also complained about the N.B.A.'s program. The comments have been anonymous because the league prohibits referees from being interviewed.

"There's no reason to feel defensive," Jackson said. "When you're in positions like we're in, management positions within a business, you're never going to get 100 percent agreement."

Stern, Jackson and Nunn should get a firm gauge of any resentment next week, when the league conducts its annual training camp for referees. Stern is scheduled to address the group of about 60 officials Sunday, and Donaghy is likely to be a topic. The program, however, will not include any sessions dealing with Donaghy's misdeeds, or their effect on the league.

Nunn referred to the scandal as an aberration that would not get in the way of "doing the work that's before us." That echoes Stern's previous description of Donaghy as a "rogue, isolated criminal."

Nunn and Jackson insisted that the referees were eager to get back to work, the way they would be any other year.

"I think they're excited about the opportunity of getting back out there and certainly proving their worth as individual officials and as a profession," Jackson said. "They're as saddened by the summer's events as we are. But I think it's manifested itself in terms of making them more resilient."

The league has not set a timeline for finishing its internal review, which is being conducted by Lawrence B. Pedowitz, a former prosecutor. It is considered likely that Pedowitz's report will be issued before the season begins Nov. 1, since any recommended changes would need to be adopted before games are played.

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**DAILY NEWS**

## NBA tabs special investigator

Wednesday, August 22nd 2007, 4:00 AM

Still reeling from the Tim Donaghy betting scandal, the NBA yesterday named Lawrence B. Pedowitz, a former prosecutor in the U.S. Attorney's Office for the Southern District of New York, to review the league's rules, policies and procedures relating to gambling and its officiating program.

"Larry Pedowitz is an ideal person to lead this independent review," NBA commissioner David Stern said in a statement.

With its image tarnished by the worst scandal in its history, the NBA has also been conducting its own investigation since the Donaghy scandal broke to determine whether other game officials broke strict anti-gambling rules.

As part of his cooperation with federal prosecutors, Donaghy reportedly will name as many as 20 other refs who allegedly had some involvement in gambling, including betting in casinos, and would be subject to dismissal.

He pleaded guilty last week to betting on games he officiated and faces a maximum of 25 years in prison when he is sentenced on Nov. 9.

Mitch Lawrence

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# NBA won't deny refs gambled in casinos

By MARC BERMAN

The NBA released a statement yesterday that did not deny last week-end's allegations that up to 20 referees gambled in casinos in violation of their contracts. However, the statement said its investigation shows only disgraced referee Tim Donaghy gambled on the NBA.

If commissioner David Stern has evidence a referee gambled in a casino, he could be fired under terms of his contract that prohibits all refs from wagering.

The loss of 20 referees, one-third the work force, would be devastating to the league with preseason openers slated to begin in less than two months. The NBA declined comment on what disciplinary action would be taken if a referee were found to have gambled in a casino.

"There have been allegations that other referees violated NBA rules prohibiting casino gaming and the like, but it remains our understanding that Tim Donaghy is the only referee who bet on NBA games," NBA spokesman Tim Frank said.

As part of his plea agreement, Donaghy reportedly cited 20 referees who have gambled in some form. The NBA is amidst its own investigation.

"Everything is under review," an NBA executive said last week regarding officials.

The crisis is so deep Stern has placed a gag order on NBA coaches and GMs. It's even trickled down to the WNBA.

Former NBA player and outspoken Detroit Shock coach Bill Laimbeer, who faces the Liberty in the playoffs Friday, told The Post, "You're not going to get me in the middle of that one. David Stern comes down with his big, old super gag order like 'Aaargh.' I'm not going to put my foot into something like that. That's crazy. Maybe I would comment on it, but my job is the preservation of everything and I'm not going to get in the middle of that one."

Donaghy faces sentencing Nov. 9, and the more information he provides the feds likely will lead to a lighter sentence. He faces a maximum 25 years for gambling felonies that included making "picks" on NBA games for gamblers and providing inside information.

marc.berman@nypost.com

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# NEW YORK POST

## NBA'S HIRED GUN

By MURRAY WEISS and DAN MANGAN

August 22, 2007 -- The NBA yesterday disclosed it has hired a former top federal prosecutor to review its anti-gambling efforts - a move the tainted league secretly made weeks ago to deal with continued fallout from rogue referee Tim Donaghy.

"There is nothing as important as the integrity of our game and the covenant we have with our fans," said NBA Commissioner David Stern, announcing the hiring of Lawrence Pedowitz and other lawyers at his firm, Wachtell, Lipton, Rosen & Katz.

Pedowitz is conducting a broad examination of the NBA's gambling rules and how compliance with those rules is monitored. He also will analyze the hiring of referees, and how their on- and off-the-court behavior is monitored.

The Post has learned that Pedowitz's team already has spoken to some refs about claims that up to 20 of them have gambled in violation of league rules that bar any betting, except at racetracks in the off-season. That alleged gambling includes casino betting and wagering on personal golf games. The NBA said it is unaware of any ref other than Donaghy who bet on basketball games.

Pedowitz is a former chief of the criminal division of the Manhattan U.S. Attorney's office.

Sources said Pedowitz was hired several weeks ago after embarrassing revelations that the NBA in 2005 investigated alleged casino betting by Donaghy, 40, but failed to discover any misconduct.

Donaghy last week pleaded guilty in Brooklyn federal court to charges related to his being paid for feeding inside information about NBA games to several Pennsylvania buddies so that they could bet on them.

The Florida resident also admitted to betting on games himself, including some he officiated.

The scandal has rocked the NBA, in large part because of suspicions by fans - now confirmed by Donaghy - that some referees are biased toward certain teams and players, and that such biases can be exploited by gamblers.

Fears have also been raised that Donaghy made calls to affect the outcome of games.

[murray.weiss@nypost.com](mailto:murray.weiss@nypost.com)

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# Stern wrong? You bet!



**DONE-AGHY:** Former NBA referee Tim Donaghy could take down nearly one-third of the NBA's officiating staff if he reveals they were in casinos in violation of their contract. Yet commissioner David Stern (inset) held the All-Star Game in Las Vegas, and had thought of moving a franchise there.

## Tying NBA to Vegas set stage for scandal

**"ROGUE"** commissioner David Stern had the audacity to hold his All-Star Game — the NBA's premier showcase event outside of the Finals — in Las Vegas last February for the first time.

Stern had the audacity to place the event in Las Vegas and tell the media beforehand he was seriously considering Vegas for an NBA team. Now Stern must pay the price for his foolish judgement and take the blame for a brewing scandal that is not going away.

By holding the All-Star Game in Vegas, by touting Sin City as a potential franchise location, Stern sent an awful message to his referees, now all under suspicion because of Tim Donaghy.

The Post reported in Tuesday's editions that Donaghy, as part of his plea bargain agreement, would rat out other refs who gambled. Now comes the latest development: ESPN Radio reported Donaghy will name nearly 20 referees who have gambled, likely in casinos — a fireable offense under their contract.

NBA refs are not permitted to gamble, from roulette to racing. They aren't even allowed in a casino gaming room. In the off-season, they can attend shows housed in casinos. However, if they were staying at the MGM Grand with the rest of the NBA executives and media during All-Star weekend, they would have violated their contracts by walking out of the elevator.

Maybe it is too harsh a guideline, but the rules are there for a legitimate purpose in a sport in which referees and fixed-lottery conspiracies abound. The rules are there to wipe out temptations for an official to bet the 10-1 odds on Miami winning the 2005-06 NBA title. The rules are there to ensure referees do not become acquaintances of illegal bookmakers bouncing around Vegas.

Twenty — or one-third of the officiating staff — could be fired if Stern follows the letter of the law, the same letter of the law he upheld when the Suns were robbed in the playoffs against the Spurs be-



**Marc Berman**  
cause of suspensions stemming from Robby Horry's hip check of Steve Nash.

With those casino stipulations in a referee's contract, Stern was crazy to stage All-Star weekend in Vegas and publicly consider the city for a team. Next year, Stern will take All-Star festivities to America's other sin city, New Orleans, where a giant Harrah's casino rises above the Mississippi River.

Stern's Vegas overtures set a climate for officials to gamble in casinos. And this information may only be the tip of the iceberg. Perhaps Donaghy also has tips on certain referees making bets on teams winning a championship, a popular bet taken by all Vegas and Caribbean casinos. It is not criminal activity, but would be devastating to the league's already battered image.

Stern was premature when he called Donaghy "an isolated case" and a "rogue" a few weeks ago. That tune now has changed after Donaghy's court appearance last week, when he said he used referees' relationships with players as a handicapping tool.

As one NBA executive said regarding the status of officiating, "Everything is under review now."

The Vegas event became a disaster with multiple shootings and gang members seen on the Vegas strip. It was not a wholesome scene — another hit for an NBA that has now hit rock bottom.

Retired referee Norm Drucker, who worked games all the way back to the 1950s, is 87 years old and hasn't seen anything like this.

"I'm angry [at] what he's done to the game," Drucker said of Donaghy. "There is going to be a stigma with the officiating staff for a year or two. You get a guy like Donaghy, all of a sudden everyone starts to think."

Drucker is wrong. The stigma will last more than two years.

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## League: No effect on ticket sales

By FRED KERBER

Fans no doubt will watch every NBA officiating call with a far more suspicious eye in the wake of the Tim Donaghy gambling scandal. But at least they will be watching, the NBA maintains.

The Donaghy affair rocked the credibility of the league and the game, but so far has had no impact on sales of tickets or merchandise, according to league figures. Though no one can comment on the

direct effect of the rogue ref scandal — there has been a leaguewide executive gag order in place since The Post broke the story — the numbers suggest fans still will come out for the games. Ticket sales are up this offseason.

"I can't speak to any impact of the Donaghy case, but I can tell you that we are on pace to not only break the all-time record

for attendance but the all-time record for season ticket sales as well," said Mike Bass, senior vice president for NBA marketing/communications. "New full season tickets sold per team are up 41 percent over last year to date and the renewal rate is far exceeding where we were last year at this time."

The NBA posted a record average 17,757 fans

per game last season, which represents tickets sold and does not account for no-shows. And, Bass said, merchandizing has not suffered.

"Sales at the NBA Store on Fifth Avenue continue to be extremely strong with sales in August up 7 percent, compared to last year, while visits to NBA.com are also up, 33 percent to date in August," Bass said.

**Report: Donaghy may name 20 gambling refs / Page 9**

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# It's the root of all evil

There is always conversation in sports about what is supposed to be next. Who is the next Michael? Or the next Tiger? What is the next big thing, or the next big story. The next big story is easy. Gambling is next.

Everything old is suddenly new again, and if you think David Stern, the commissioner of the NBA and the commissioner of how things look there, is the only one scared silly about gambling, think again.

There was a time when boxing was known as the red-light district of sports. Not for a long time and not anymore. Gambling is the red-light district now. And now, with this pathetic ref Tim Donaghy, we see how close that kind of action can get to the real action of sports. How easy an all-access pass can be.

We even see it with the equally pathetic figure of Michael Vick, because in addition to the cruelty and brutality of this dogfighting ring of his, there are also the allegations that Vick was bankrolling gambling on the fighting as well. If he was, that is just more trouble for everybody, and not just Michael Vick.

Of course the Vick story — gambling on dogs ripping each other apart — is different from a ref betting on games and even trying to manipulate them. Still, ask yourself something: If Michael Vick was bankrolling gambling on a blood sport like this, trying to make more blood money off it, if money was changing hands, do you suppose it involved guys from the Yale Club?

The guys Vick let get close to him — what kind of guys are close to them?

For the longest time, the biggest professional sports have wrung their hands in public about illegal gambling, and how it can corrupt everything and everybody, and continued to treat legal gambling with a wink and a nod. Or perhaps you think the National Football League puts out those injury reports every week because they think we're worried if the sick players are getting better. Even the people running the NFL know that it's not just the most popular sport on television because of those real hard hits.

Part of the huge appeal of pro football is because it generates the most betting, insane amounts of money changing hands all the way to Super Sunday. Basketball? There's games every night. Like it or not, that means the red-light district is always right across the street. Somebody walked across that street and put the arm on Donaghy, the one ref we know about so far with a gambling problem, gave him a moonlighting job as a way to get out from under his debts.

So are you shocked about Donaghy, or more shocked that it took this long for some enterprising bad guys to figure out a way to finance bad behavior like this?

Is Donaghy the next big thing in sports, or is that going to be

another Pete Rose?

Now come the stories that Donaghy may flip on other refs with gambling issues, the way Vick's buddies flipped on him. David Stern described Donaghy as being one rogue criminal. He has no way of knowing that, the way he has no way of knowing if there are gambling issues with some of his other employees.

Gambling is supposed to be bad, bad, bad, around pro basketball and everything else. But it is perfectly all right for the owners of the Sacramento Kings, the Maloof brothers, who own one of the biggest and gaudiest casinos in Las Vegas. This past year, the NBA decided to take All-Star weekend to Vegas, and there is always talk that the sports leagues

are trying to figure out some way to put a franchise there.

When rich young athletes aren't hanging around casinos, some of them are going around to poker clubs. That is supposed to be harmless fun. The way we're supposed to believe that these strip clubs are just a way for our kids to blow off steam. And that having an entourage is just a way of giving back.

This is a big, important, complicated story about the changing culture of big-time sports and it's not just about weasels like Donaghy, who's sorry now that he's got a jail sentence staring him in the face. There is a vulgar amount of money in sports and an army of young guys spending it, in all sorts of ways, hanging

## SHOOTING FROM THE



BY MIKE LUPICA

around with all sorts of people, in all sorts of places. On both sides of the street.

If commissioners are going to police all that, if they want to be the traffic cops, they're going to have to put on more people.

I put a bow on the Vick deal this way:

Who would have ever thought that Marcus Vick would turn out to be the good brother?

Gee, Glambi just makes you believe in happy endings all over again, doesn't he?

Joe Torre is too old to have to answer questions about Gary Sheffield.

There was all this thought after the Red Sox got Eric Gagne that the race in the American League East was over.

But now that he's blown three games in his last nine, Red Sox fans are sort of thinking that the race would be over if they'd never gotten the big guy.

Rudy Giuliani said he spent as much time at Ground Zero, if not more, than first responders.

Then the Times came out the other day with a story by Russ Buettner that said that between September and December of 2001, Giuliani spent about 29 hours down there in those three months.

Which then had Alex Koppelman of Salon.com doing some math and figuring out that over those same three months, the former mayor might have spent more time attending, or traveling to, Yankee games.

Of course this might turn out to be one of those deals where one of the most public New York City mayors in history asks us to respect his privacy.

In a year when the majors nearly pitched a shutout against Tiger Woods, he ends up hitting the golf equivalent of a walk-off home run in the PGA.

Woody Austin, though, made a great point about Tiger last weekend:

When Tiger bangs a club or curses after a bad shot, it's just because he wants to

win so darn much.

When somebody like Austin — who once broke a putter whacking it in frustration against the side of his head — does it, he's about half a wack job.

Aren't there some nights when you think the Mets are trying to get into the Guinness book for guys playing just slightly out of position?

You want to know the difference between the Yankees economy — still — and everybody else's?

They not only spend \$52 million on Johnny Damon and \$40 million on Carl Pavano and \$26 million on Kel Igaawa, but when the time comes to write them off, whatever the reasons, it's like some kind of check-writing speed bump.

El is going to throw it where he's aiming it this year, right?

At the end of the Jets-Vikings game the other night, Joe Buck started singing and I immediately wondered, to whom?

Because it certainly wasn't me.

One guy got to sing at pro football games:

Dandy Don.

When he stopped, the party really was over on all that.

What do guys at the Garden do in the summer when they're not leaking stuff to the newspapers on Anucha Browne Sanders, that's what I'd like to know?

There has always been a fair amount of rooting on YES, because that's what you get on all state-run baseball television.

But this year, as the Yankees have come back, there has been more than ever.

Which sometimes makes the whole broadcast feel like something you'd hear out of town.

Any week that feels this Strahan-free is a good one, that's how I set the bar.

Seriously?

Who told old No. 92 that the rest of us couldn't possibly be happy unless he is?

I was shocked — shocked, I tell you — to even hear the hint of a suggestion of a gossipy rumor that there might be trouble in paradise for Mr. and Mrs. Kobe.

Because I was another silly romantic under the impression that they would be together forever.

Michael Vick doesn't just need better friends, he needs the kind Barry Bonds has.

Bonds' guys go to prison, Vick's guys try to send him there.



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# I ain't the only one, ref sez

BY BILL HUTCHINSON  
DAILY NEWS STAFF WRITER

DISGRACED NBA ref Tim Donaghy is ready to blow the whistle on the gambling activities of as many as 20 of his former hardwood colleagues, according to a report.

Facing up to 25 years in prison for his involvement in an illegal gambling ring, Donaghy is poised to help federal prosecutors expose the betting behavior of other pro basketball officials, according to ESPN Radio.

The revelations threaten to give the NBA another black eye and leave league Commissioner David Stern with egg on his face for claiming Donaghy was a

"rogue, isolated criminal."

By squealing on his co-workers, Donaghy, 40, is likely angling for leniency when he faces his sentencing judge Nov. 9.

What he plans to say remains unclear, but ESPN Radio said it was believed to include information about refs gambling in casinos.

With the exception of betting on horse races in the off-season, NBA refs are banned from gambling by their collective-bargaining agreement with the league.

In an exclusive interview with the Daily News last week, Donaghy said, "I'm very sorry about what happened."

Lamell McMorris, director of the Nation-

al Basketball Referees Association, told ESPN he was unaware of the gambling probe spreading beyond Donaghy.

"As far as we know, the misconduct was isolated to one individual, and we'll stand by that until proven otherwise," McMorris said.

Donaghy, a 13-year NBA veteran, resigned last month after his name surfaced in the FBI probe. He has blamed a severe gambling problem and depression for his behavior.

He admitted in Brooklyn Federal Court last Wednesday to pocketing more than \$30,000 by passing inside tips on games to



Tim Donaghy

pals in an illegal gambling ring.

He admitted he even made picks in games he was assigned to referee, using special codes to communicate with his alleged cronies James Battista, 42, and Thomas Martino, 41.

Donaghy faces up to 25 years in prison, a half-million dollars in fines and the return of his ill-gotten gains.

"I was in a unique position to pick the outcome of NBA games," Donaghy told a judge. "I received cash payments for successful picks. Some of my picks included games I had been assigned to referee." [whutchinson@nydailynews.com](mailto:whutchinson@nydailynews.com)

## 'SEXY' LINDSAY ISN'T LYING LOW

POSING PROVOCATIVELY in a far from virginal lacy white slip, Lindsay Lohan proves her ongoing stint in rehab isn't stopping her from hogging the limelight.

In Maxim's 10th anniversary September issue, which hits newsstands Tuesday, the troubled starlet declares, "I like to think of myself as sexy."

Commenting on the downside of fame, the little girl lost adds wistfully, "There are so many people I can't trust."

LiLo places the focus firmly on her ample cleavage in the pre-rehab pictures, cooing shamelessly, "My breasts have been a really big hit."

Perhaps she's trying to divert attention from the glazed look in her eyes, which, according to her G-rated list of vices, is probably just due to watching too much talk TV and scarfing stacks of Pop-Tarts.

"My guilty pleasures are Larry King Live, Oprah, Doritos and Pop-Tarts. And everyone likes a little McDonald's once in a while, right?" she reasons.

Let's hope that by the time she makes it out of rehab, those really are her only bad habits.

Eloise Parker



## Law boo-boo lets babies marry in Ark.

LITTLE ROCK, Ark. — A law passed this year allows Arkansans of any age — even infants — to marry if their parents agree, and the governor may have to call a special session to fix the mistake.

The legislation was intended to establish 18 as the minimum age to marry but also allow pregnant teenagers to marry with parental consent, bill sponsor Rep. Will Bond said.

An extraneous "not" in the bill, however, allows anyone who is not pregnant to marry at any age if their parents allow it.

"It's clearly not the intent to allow 10-year-olds or 11-year-olds to get married," Bond said. "The legislation was screwed up."

The Legislature has adjourned for the year, but several lawmakers said Friday that a special session should be convened to fix the gaffe.

"We need a special session to fix this," Sen. Sue Madison said. "I am concerned about pedophiles coming to Arkansas to find parents who are willing to sign a very young child's consent." The Associated Press

## Graham's in hosp

ASHEVILLE, N.C. — Billy Graham was admitted to a hospital near his home early yesterday for evaluation and treatment of intestinal bleeding, hospital officials said.

The 88-year-old evangelist was resting comfortably and the bleeding had stopped, said a spokesman for Mission Health & Hospitals in Asheville.

The hospital said the bleeding may have been caused by diverticula, or small pouches that can form in the lower intestine. A diverticular bleed often begins suddenly and may stop on its own.

Graham suffers a variety of ailments, including Parkinson's disease and age-related macular degeneration. His wife of 64 years, Ruth Bell Graham, died in June.

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**FOUL LINE:** Tim Donaghy is reportedly spilling to the feds on fellow referees who he says also gamble.

# REF BLOWING THE WHISTLE

Will name up to 20 'bettors'

By GINGER ADAMS OTIS and SAM GOLDSMITH

Disgraced NBA referee Tim Donaghy will reportedly finger as many as 20 other league officials as part of his cooperation with federal prosecutors probing an illegal gambling ring.

The ex-ref is ready to give prosecutors the names of colleagues who allegedly had some involvement in gambling, according to ESPN Radio.

The allegations about other refs and gambling — believed to include betting in casinos — may not rise to the level of criminal activity, ESPN said.

But with betting a definite no-no for refs under NBA guidelines, the revelations could decimate the league's officiating staff — and further tarnish its sinking reputation.

Twenty referees is about a third of the NBA's 59-referee roster.

NBA rules prohibit gambling among referees, with the exception of off-season wagering at racetracks.

Officials are allowed to attend shows at casinos during the off-season, but can't enter gambling areas.

Referees who violate the policy can be fired.

NBA officials yesterday declined to comment on the report.

"We have no additional information," spokesman Tim Frank said in an e-mail.

Sources close to the



**COURT SENSE:** Tim Donaghy pleads guilty in Brooklyn federal court last week to charges connected to gambling on NBA games.

ever-widening FBI probe last week indicated, the focus so far has been on professional gamblers, not accusations against NBA insiders or referees.

A spokesman for the National Basketball Referees Association, which represents NBA-level officials, strongly denied any wrongdoing among other referees.

"At this time, this is all hearsay," said Lamell McMorris.

"As far as I know, there's only one individual who admitted wrongdoing. This is an unfortunate matter regarding Tim Donaghy — and only him," McMorris insisted.

Meanwhile, Donaghy, who pleaded guilty last week to wagering on National Basketball Association games he officiated, got a visit at his Bradenton, Fla., home yesterday morning from a Manatee County sheriff conducting a "welfare check."

The ref-in-exile — reportedly on antidepressants and struggling with his gambling addiction — has received regular visits from local cops to make sure he is

alive and well, a source said. Donaghy was released on \$250,000 bond last week and he faces up to 25 years in jail and hundreds of thousands of dollars in fines.

He is due to be sentenced Nov. 9 for conspiracy to engage in wire fraud and transmitting betting information through interstate commerce.

He'll also be slapped with a \$500,000 fine and will pay at least \$30,000 in restitution to the government.

Donaghy has claimed to be the victim of mob-linked pressure — allegedly from Gambino crime-family gangsters.

His illegal-gambling scam spanned the past two seasons.

NBA officials were horrified to learn of the allegations and insisted Donaghy was nothing more than an "isolated criminal."

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**It's Stern's fault / Berman: Page 79**

## Death 'cane picks up speed 2 brothers busted in Newark slays

SANTO DOMINGO, Dominican Republic — Jamaica opened shelters nationwide and Cuba declared a "state of alert" yesterday as warm Caribbean waters fueled Hurricane Dean, with forecasters predicting it could grow to a powerful Category 5.

Now a Category 4 storm with sustained winds at 150 mph, Dean was expected to pass south of Hispaniola but dump as much as 5 inches of rain on the island's two countries — Haiti and the Dominican Republic — which are both prone to devastating floods and mudslides.

As dark clouds rolled in from the south and a light rain began to fall, residents of the Dominican capital, Santo Domingo, calmly ran errands at stores with fully stocked shelves, despite government advisories about heavy rains and flooding.

"Nothing's going to happen here — a lot of water, if nothing else," said Pedro Alvarez, 61, as he sat in a doorway selling lottery tickets.

Dean killed three people and devastated banana and sugar crops on Friday as it crossed small eastern Caribbean islands.

By ANGELA MONTEFINISE and JOHN DOYLE

Two fugitive brothers, plans to flee the country were dashed early yesterday as U.S. marshals arrested them in connection with the execution of three college students in a Newark schoolyard two weeks ago.

The feds caught up with Rodolfo Godínez, 25, at about 1 a.m. in a small apartment in Oxon Hill, Md., where he had "squeezed in with eight other men, all illegal aliens," U.S. Marshal James Plousis said.

Godínez, a legal resident from Nicaragua whose record includes arrests for assault and robbery, surrendered with "no struggle," Plousis said. The others were turned over to immigration officials.

About an hour later, authorities nabbed Godínez's 16-year-old half-brother, whose name is being withheld because of his age, in a house in Woodbridge, Va. They'd been planning to "go to Texas, then flee to Mexico," Plousis said.

Instead, they're being held in Maryland and Virginia while awaiting extradition to New Jersey, where each would face three counts of murder plus weapon-related and other charges.

The brothers join illegal immigrant José Carranza, 28, and two teens already in custody. They are accused of the Aug. 4 slaying of Terrance Aerial, 18, Dashon Harvey, 20, and Iofemi High-tower, 20. Aerial's sister, Natasha, who survived the shooting, is still hospitalized.

Authorities said at least one suspect was still at large.

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NBA



BY MITCH LAWRENCE

# BLOWING THE WHISTLE

In wake of Donaghy scandal, league punishes six refs who broke NBA rules

In the biggest fallout from the Tim Donaghy betting scandal to date, six NBA refs have been disciplined by the league for breaking its strict, if unrealistic, anti-gambling rules.

Sources say that the six, whose identities remain unknown, were busted for infractions as minor as frequenting casinos. The refs' links to gambling came as a result of the league's investigation into its 60-man staff after the federal case against Donaghy.

While it's no crime for players, coaches, GMs or owners to hit the poker tables in the high-stakes VIP rooms of Las Vegas, refs are forbidden from frequenting casinos or engaging in any gambling, even if it's legal. The six refs' infractions in no way came close to resembling the crimes Donaghy committed, sources said.

"Nobody's getting suspended," said a source. "They were reprimanded and punished, but nobody lost their job."

The NBA was not specific about the infractions or the punishments.

Donaghy will be sentenced Jan. 25 for taking cash payoffs from gamblers and betting on games he officiated for the last two seasons. He faces 25 years in prison. Nearly three months after the NBA's worst betting scandal, sources say the league's investigation turned up no other ref who bet on games. All along, David Stern believed that Donaghy was a "rogue, isolated criminal."

"Thank God," said a source. "It would have been devastating if there was anybody else who was doing what Donaghy did."

After pleading guilty to two felonies, Donaghy reportedly was set to blow the whistle to prosecutors on 20 fellow refs for gambling activities. But Stern told the refs last month that the infractions did not warrant dismissals. According to league rules, refs are permitted one offseason trip to the racetrack and that's it.

"There were some violations," Stern said, referring to the six, while he toured preseason camps in Europe. "But they are not hanging crimes."

Since Aug. 21, the league's investigation of officials has been handled by Larry Pedowitz, a former federal prosecutor. Stern has promised to do more background checks and have the league admit to its mistakes involving officiating more quickly than in the past. Otherwise, the league goes into the season opener on Oct. 30 having done little else to reduce the chances of another gambling scandal. That doesn't sit well with some owners and executives, who are under gag orders that prevent them from going public with

their complaints.

But warned one Western Conference executive: "If nothing has changed personnel-wise, or process-wise, there is nothing to stop it from happening again."

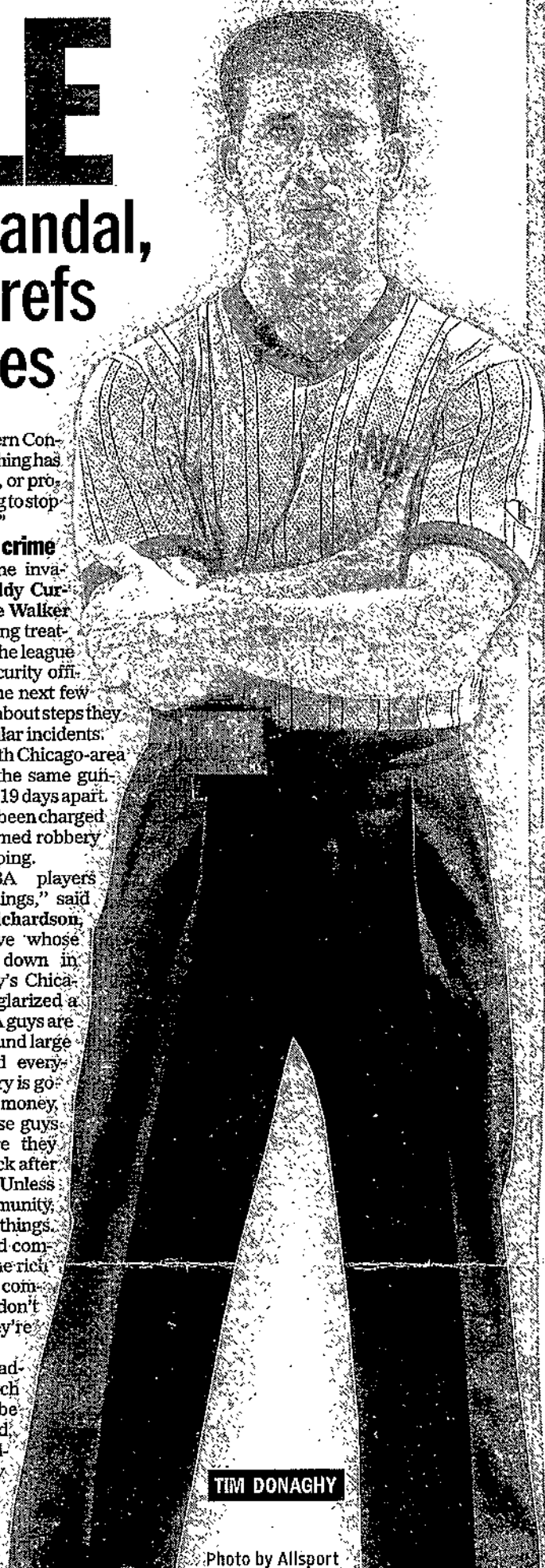
## Taking a bite out of crime

The frightening home invasions of the Knicks' Eddy Curry and Miami's Antoine Walker last summer are not being treated lightly by the NBA. The league has decided to send security officials to every team in the next few weeks to talk to players about steps they can take to prevent similar incidents.

Curry and Walker, both Chicago-area residents, were hit by the same gun-wielding, masked thugs 19 days apart. Four Chicago men have been charged with home invasion, armed robbery and aggravated kidnapping.

"Unfortunately, NBA players are targets of these things," said the Knicks' Quentin Richardson, another Chicago native whose brother was gunned down in 2005 outside the family's Chicago home that was burglarized a week later. "A lot of NBA guys are known for carrying around large amounts of cash. And everybody knows their jewelry is going to be worth a lot of money, too. So they follow these guys home, they see where they live, then they come back after they plan the robbery. Unless you live in a gated community, it's tough to stop these things. But we don't have gated communities in Chicago. The rich people don't like gated communities because they don't want to feel that they're caged in."

NBA officials will advise players to watch where they go and be alert if they are followed, while also recommending being less flashy with their money and jewelry when they go out to restaurants and clubs.



TIM DONAGHY

Photo by Allsport

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## N.B.A. Referee Pleads Guilty to Gambling Charges

By HOWARD BECK and MICHAEL S. SCHMIDT

Tim Donaghy left the basketball court as a disgraced former N.B.A. referee in July and left a federal court room yesterday as an admitted criminal, a conspirator and a gambling addict.

Donaghy's downfall and the resulting scandal that has threatened the National Basketball Association's integrity, came into focus when Donaghy, 40, surrendered to federal authorities and pleaded guilty to two felonies during a hearing at the United States District Court in Brooklyn.

For four years, Donaghy bet on N.B.A. games, including some that he officiated. For at least five months — starting in December 2006 — he advised professional gamblers about which teams to pick, through telephone calls and coded language. And he violated one of the primary tenets for referees by providing the gamblers with information about referee assignments, relationships between referees and players and the health of players.

Those details were disclosed when the charges were unsealed in the 10th-floor court room of Judge Carol B. Amon.

In providing that confidential information, which violates N.B.A. rules, Donaghy essentially engaged in the sports equivalent of insider trading. In his guilty plea, he said he participated in a scheme to deprive the N.B.A. of his honest services.

"I was in a unique position to predict the outcome of N.B.A. games," Donaghy said. He was paid to make picks on games, initially earning \$2,000 for each correct pick and later \$5,000, according to court records. Two men who are suspected of conspiring with Donaghy — Thomas Martino, 41, and James Battista, 42 — were arraigned later yesterday.

Donaghy, appearing for the first time since the accusations became public last month, arrived in court in an olive-green suit and a yellow collarless shirt. He appeared stoic and steady, and spoke in quiet tones when he answered Judge Amon's questions.

Donaghy disclosed that he was under a doctor's care for a gambling addiction, and that he was

DONAGHY-2328

taking antidepressants and anti-anxiety drugs. His lawyer, John Lauro, said it was the gambling problem that led Donaghy to his eventual criminal actions.

"I think he has had a severe gambling problem for a while that went untreated," Lauro told reporters. "And, unfortunately, he didn't get the proper care that is needed, and now he is getting that care."

Donaghy, who resigned as a referee last month before the case became public, did not speak to reporters. He entered and left the courthouse through a private entrance.

The charges did not suggest that authorities were investigating criminal accusations against any other referee. It remains unclear whether Donaghy's cooperation with the F.B.I. will reveal any other type of misconduct by his colleagues that could lead to their firing or other discipline short of criminal charges.

The government's case, presented by the assistant United States attorneys Thomas Seigel and Jeffrey Goldberg, did not contain accusations of point shaving or game fixing. But the government's investigation continues.

Court records list two dates on which Donaghy spoke with a gambler by telephone to provide his pick on an N.B.A. game, and two other dates on which he received payment. It is not clear whether Donaghy was providing information about games that he officiated, or about other games.

Donaghy, according to the records, spoke with a gambler on or about Dec. 13, 2006, the same night that he officiated a game in Philadelphia between the 76ers and the Boston Celtics. (Boston won, 101-81.) The next day, Donaghy met with the gambler in Philadelphia received a payment.

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Donaghy also spoke with a gambler on or about Dec. 26, the same night that he refereed a game in Washington between the Wizards and the Memphis Grizzlies. (Washington won, 106-101.) Donaghy received a payment while in Toronto on or about March 11, the same night that he refereed a game between the Raptors and the Seattle SuperSonics.

In separate documents, the government names Martino and Battista as the gamblers with whom Donaghy spoke, and names Martino as the one who made payments in Phoenix (January 2007), Toronto (March 2007) and Washington (April 2007).

Donaghy, who was released on \$250,000 bond, faces up to 25 years in prison and up to

\$500,000 in fines. A sentencing hearing is scheduled for Nov. 9. He turned in his passport and cannot travel outside of New York, Florida or Pennsylvania.

The N.B.A. learned of the investigation on June 20, according to Commissioner David Stern, who in July referred to Donaghy as "a rogue, isolated criminal." Stern was unavailable for comment yesterday but issued a statement reiterating the league's intent to improve its referee oversight.

"As expected, former N.B.A. referee Tim Donaghy pleaded guilty today to betting on N.B.A. games, including games in which he officiated, and providing confidential information to others who bet on N.B.A. games," Stern said. "We will continue with our ongoing and thorough review of the league's officiating program to ensure that the best possible policies and procedures are in place to protect the integrity of our game."

Donaghy was an N.B.A. referee for 13 years. His gambling on games began four years ago, and he began receiving payment for betting recommendations — including games that he officiated — in about December 2006, according to an affidavit filed by the F.B.I.

The N.B.A. hired a company to investigate Donaghy in 2005, after learning of a dispute with his neighbors in West Chester, Pa. The league also looked into assertions that Donaghy was gambling at an Atlantic City casino that did not have a sports book. Stern said in July that investigators found no evidence that Donaghy had gambled at casinos in Atlantic City or Las Vegas.

The revelation that Donaghy had been betting on games for four years — against league regulations — underscores the N.B.A.'s inability to detect such conduct. League officials declined to comment further yesterday about their plans for improving oversight.

A lawyer for Battista, who attended the same high school as Donaghy in Springfield, Pa., said his client would fight the charges brought against him.

The counts against Donaghy are conspiracy to commit wire fraud, which carries a maximum sentence of 20 years in prison and a \$250,000 fine; and conspiracy to transmit wagering information over state lines, which carries a maximum sentence of 5 years in prison and a \$250,000 fine. As part of his plea, Donaghy also will forfeit \$30,000, which is believed to represent a part of the money he was paid by gamblers.

*William K. Rashbaum and Anahad O'Connor contributed reporting.*

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# NEW YORK POST

## THIS GYM RAT REALLY CROSSED THE FOUL LINE

By MARC BERMAN

August 16, 2007 -- FORMER veteran ref Tim Donaghy walked through the "prisoner's entrance" of the 10th-floor federal courtroom in Brooklyn at 9:13 a.m. yesterday without his whistle - and also without a tie and dress shirt.

Dressed in an olive sports coat over a yellow T-shirt, he seemed to be using the same awful judgment that led him to this tragic place.

The inappropriately dressed Donaghy officially pleaded guilty before Judge Carol Badley Amon to two felonies, conspiracy to engage in wire fraud and transmitting wagering information through interstate commerce.

He faces a maximum 25 years in prison, but will likely get much, much less as he cooperates with the feds, who smell Mafia blood.

Donaghy is a "rat" in every sense of the word.

And he managed to smear his former officiating colleagues during his pathetic plea-bargain performance.

The combative ex-ref who led the league in handing out technical fouls last season was now a meek soul, a pathetic figure, barely audible, even with his court microphone turned to its highest volume for the benefit of reporters in the back.

Donaghy told the judge he was on medication, anti-depressants and seeing a psychiatrist.

He answered many of Judge Amon's questions with a soft "Yes, ma'am," "No, ma'am."

More than 20 TV cameras waited outside the big glass doors of the courthouse. Donaghy never had the guts to emerge. He arrived through a back entrance, left through a back entrance.

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"He expresses a great deal of remorse and concern about the pain he's caused to his family, friends and co-workers," said his lawyer John Lauro.

It wasn't enough remorse to apologize to the basketball fans he cheated. As all rats do, they run and hide.

Donaghy admitted yesterday to "defrauding" his employers and betraying the public's trust. He dispensed inside information to lowlife gamblers, making "picks" for them last season on games he worked.

Donaghy also defiled the NBA officiating staff when he told the judge one of his betting tips centered on the referee's relationships with certain players. The revelation solidifies the theory that referees favor certain guys.

"I also was aware of the manner in which officials interacted with players and called games as well as the condition of players prior to a game," Donaghy said. "By having this non-public information, I was in a

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unique position to predict the outcome of NBA games."

And so Donaghy has turned the NBA into a national joke. When a federal employee walked out of the courthouse and passed the media throng, he quipped, "Take the Knicks, give the points."

Donaghy's lawyer played the sympathy card, talking about the "death threat" his client received and blamed the mess on Donaghy's gambling addiction.

"In my mind absolutely," Lauro said. "I don't think he would've been here if he didn't have a gambling problem. He's had a severe gambling problem for a while that went untreated. And unfortunately, he didn't get the proper care he needed and now he's getting that care."

No sympathy yesterday. No whistle. No conscience.

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# NEW YORK POST

## YOU BET REF'S GUILTY AS HELL

By JANA WINTER, MURRAY WEISS and STEFANIE COHEN

August 16, 2007 -- Rogue ref Tim Donaghy revealed yesterday he'd been betting on NBA games he officiated for four years - in a deal requiring him to rat out any other officials involved in gambling, sources said.

The revelations came yesterday as the disgraced ex-ref copped a guilty plea in Brooklyn federal court.

He told the feds he first used inside info just for his own benefit, but later shared his winning "picks" with shady childhood acquaintances after they threatened to expose his gambling habit, sources said. He admitted he accepted payment for each tip.

Dressed in an olive sports coat, brown pants and T-shirt, Donaghy, 40, owned up to conspiring to commit wire fraud and conspiring to transmit betting information - and agreed to cooperate with investigators.

The ref must tell the feds everything he knows about gambling activity in the NBA, including whether other referees bet on games. Any finger-pointing by Donaghy could generate another huge headache for the NBA.

The NBA forbids gambling by its refs in any form, except playing the ponies during the off season.

Donaghy's felony charges carry a maximum of 25 years in prison and a fine of up to \$500,000. He was ordered to make an initial payment of \$30,000 to the government and released on a \$250,000 bond.

The 13-year veteran said he suffers from a gambling addiction and is taking anti-depressants and anxiety pills.

The plea comes almost a month after The Post broke the story, which has tarnished the NBA's integrity.

In his statement to Judge Carol Amon, Donaghy said that from December 2006 through April 2007 he used his insider status to "pick NBA teams that I predicted would win particular games and also cover the point spreads set by professional bookmakers.

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"Others would in turn use my picks in order to place bets with bookmakers on the teams I had selected," he said.

"As a referee, I was given access to master referee schedules that included the identities of officiating crews for particular games," he told the judge.

"I was also aware of the manner in which officials interacted with players and called games, as well as the condition of players prior to a game.

"By having this nonpublic information, I was in a unique position to predict the outcome of NBA games," he said.

Later in the day, two of his former high school buddies allegedly turned blackmailers, Thomas Martino, 41, and James Battista, 42, were arraigned in the same courthouse on wire fraud charges and released

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on \$250,000 bond each. They face up to 20 years in prison.

The duo turned themselves in to the FBI yesterday morning, their lawyers said. Battista showed up at his hearing cracking gum and wearing shorts, tennis shoes, and a polo shirt. Martino wore slacks and a buttoned-down shirt.

Donaghy began betting on games, including some he was assigned to, in 2003, along with golfing buddy Jack Concannon, sources said.

Concannon, who has not been charged, would place the bets with high-school friend and bookie Peter Ruggieri, who was busted twice for sports betting in Las Vegas and Pennsylvania, sources said.

Donaghy acted as a "silent partner" in the betting ring to avoid suspicion from the NBA, court documents said.

In December 2006, Martino and Battista found out how much Donaghy was raking in and that his picks were coming through at a 93 percent clip, sources said.

They allegedly offered the greedy gambler a deal he couldn't refuse - threatening to expose him if he didn't cooperate, the sources said.

Battista, who sources say was deep in debt at the time, allegedly told Donaghy he would go public and ruin his life if he didn't go along with the plan. Donaghy went along.

Donaghy, Martino and Battista went to Cardinal O'Hara HS together in Springfield, Pa., in the 1980s. Ruggieri and Concannon went to a nearby school. The groups met though sports teams they played on, sources said.

Battista paid Donaghy \$2,000 in cash in exchange for each game he picked correctly, and nothing for games he didn't, court documents show. A few weeks later, the fee was bumped up to \$5,000 per correct pick, apparently because the trio's scam was doing so well.

Sources said Donaghy used code words like "Mom" and "Dad" to tip his associates whether or not to bet on games.

Martino allegedly would then pass the info to Battista, to avoid any contact between the ref and the known gambler. Prosecutors said phone records reflect hundreds of calls between the three men.

When Donaghy's picks came through, Martino allegedly would meet him wherever he'd traveled to with the NBA to pay him his share. Last January, Martino went to Phoenix; in March he was in Toronto; and in April to Washington, D.C.

The FBI began its investigation early this year, and eventually Ruggieri began talking to them about the scheme, sources said, setting off a full-scale probe of the ref.

Ruggieri's lawyer, Brian McMonagle, did not return calls yesterday. Sources have told The Post that Ruggieri has mob connections, but his former lawyer, Chris Warren, has denied that.

Outside court yesterday, Donaghy's lawyer, John Lauro, said, "I think he had a severe gambling problem for a while that went untreated and unfortunately he didn't get the care that was needed."

It was unclear if a representative from the NBA was present at the court proceeding, but afterward, NBA Commissioner David Stern issued a statement that said, in part:

"We will continue with our ongoing and thorough review of the league's officiating program to ensure that

the best possible policies and procedures are in place to protect the integrity of our game."

Battista's lawyer, Jack MacMahon said: "This has been hanging over everybody's heads. Now that it's come, we know what to defend against."

Sources said Martino and Battista on Friday were offered a similar deal to cooperate, but turned it down.

**Donaghy's statement:**

"In December 2006, I was employed as a referee with the National Basketball Association. As an employee, I was subject to rules of conduct established by the NBA, including a prohibition on betting on professional sporting events.

In addition, as a referee, I was given access to master referee schedules that included the identities of officiating crews for particular games. This information was confidential and not available to the general public.

I also was aware of the manner in which officials interacted with players and called games, as well as the condition of players, prior to a game. By having this nonpublic information, I was in a unique position to predict the outcome of NBA games.

Beginning in December 2006 until about April 2007, I agreed with other individuals to use this nonpublic information in order to pick NBA teams that I predicted would win particular games and also cover the point spreads set by professional bookmakers.

As part of our agreement, others would in turn use my picks in order to place bets with bookmakers on the teams I selected. I received cash payments for successful picks, but would not lose any money if a pick did not win and cover the point spread.

Some of my picks included games I had been assigned to referee.

I would use a telephone or cellphone to make calls around the country to one of the individuals in order to communicate the picks so that the bets could be placed with professional bookmakers. In many of these calls, we used coded language and I concealed this conduct from my employer."

*Additional reporting by Patrick Gallahue*

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## Phil Sheridan | Donaghy mess just gets uglier

By Phil Sheridan

Inquirer Columnist



ROCKY WIDNER / Getty Images

Tim Donaghy pleaded guilty to two felony charges related to gambling, but those don't address what may be the ex-referee's worst offense.

Now that a few weeks have passed and the initial shock has worn off, it's possible to put the Tim Donaghy scandal into proper perspective.

It is even worse than it first appeared.

Donaghy, a graduate of Cardinal O'Hara High and Villanova University, pleaded guilty yesterday to two felony charges. And while those are serious enough charges to bring up to 25 years of prison time, they didn't cover the most egregious of Donaghy's alleged transgressions.

The charges involved conspiracy to commit wire fraud and to transmit information about gambling - abuse of Donaghy's insider status to help gamblers place winning bets on NBA games. These charges did not involve point-shaving or game-fixing, which represent the most galling betrayal of public trust possible for a professional sports official.

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There is compelling evidence that Donaghy engaged in such deplorable behavior. ESPN has reported that the first 15 NBA games Donaghy officiated last season in which betting action moved the Las Vegas line more than 11/2 points all resulted in big wins for those betting against Vegas.

According to gambling expert R.J. Bell of Pregame.com, the odds against that randomly happening 15 times in a row are 32,768 to 1. And it would take more than information about a sprained ankle or a referee's dislike of a particular superstar to pull that off. It would take someone actively manipulating the final result of the game.

We have assumed that's the real crime here since the beginning. But the longer you think about it, the more disturbing that is.

Donaghy was able to do all this in front of tens of thousands of paying fans, in front of TV cameras and expert commentators, with veteran coaches and players involved in the games he was officiating. These are crimes with countless eyewitnesses, yet not one of them had the slightest idea what was happening in plain sight.

NBA commissioner David Stern knew immediately how bad that is for the league. He said as much from the beginning. Donaghy's activities make all those conspiracy theories about scripted outcomes and shady goings-on seem tame by comparison. From now on, neither Stern nor anyone else in the NBA can scoff at those rumors.

Donaghy not only managed to avoid detection, he was also highly rated by his supervisors and given playoff assignments based on merit. This is like winning employee-of-the-month honors while you're embezzling millions of dollars in company funds. So it follows that if Donaghy was able to pull this off, others may be every bit as crooked.

Or consider one implication of Donaghy's admission in court yesterday: One of the things he told his coconspirators was the background information on relationships between officials and players. That has value only if grudges against certain players affect the way referees call games. How damning is that for the NBA?

But it is also crazy to think that Stern can somehow prevent such a thing from happening again. If someone is determined enough to do something wrong, whether it's cheating in sports or going on a rampage with a firearm, it is awfully difficult to stop him. Unless Stern learns to read minds, he is going to be forced to rely on the integrity and decency of the people who officiate NBA games.

"The best-case scenario," Stern said on ESPN Radio yesterday, "is a wake-up call that says you can't get complacent about your process [of hiring and monitoring officials]."

The real lesson is something most people don't want to hear. Gambling has become so integrated into our day-to-day life - office pools, Powerball drawings, casinos popping up like mushrooms - that it seems Pollyannaish to point out its inherent dangers.

Remember when Pete Rose's defenders tried to parse the difference between gambling on other sports and gambling on baseball, then on the difference between betting on the Reds and betting against them? They were wrong for a lot of reasons, but one was the danger of a coach or manager, player or official getting deep into debt with bookies.



The easy way out is to provide information or, ultimately, to start fixing games. It appears that is what led Donaghy down this path. His too-late decision to seek help for depression and gambling addiction shouldn't excuse any of his actions. This was an ongoing, systematic breach of the only thing that mattered in Donaghy's professional life: public faith in his integrity.

"It's a sad day for the NBA and for his family," Stern said on ESPN Radio.

It was also a sad and deeply troubling day for everyone who cares about professional sports in this country.

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Contact columnist Phil Sheridan:

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Read his recent work at <http://go.philly.com/philsheridan>.

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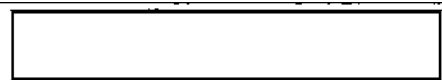
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## Ex-NBA referee pleads guilty

By Frank Fitzpatrick

Inquirer Staff Writer



Tim Donaghy, a native of Havertown, will be back in federal court Nov. 9 for sentencing.

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### **Video:** [Associated Press coverage of the guilty plea](#)

NEW YORK - Disgraced NBA referee Tim Donaghy, having admitted yesterday to depression, a gambling addiction, betting on games he officiated, and providing bookmakers with inside information, will get at least one more opportunity to embarrass the league that employed him for 13 years.

The Havertown native, who pleaded guilty in U.S. District Court in Brooklyn to charges of conspiracy to commit wire fraud and transmitting betting information, will be sentenced Nov. 9, one week into an NBA season that already will be tarnished by a scandal that commissioner David Stern has characterized as the league's worst ever.

"The timing is very surprising," said a lawyer in the case. "I would have thought the league

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would want to get this all out of the way before they get started."

In a statement, Stern said the NBA would "continue with our ongoing and thorough review of the league's officiating program to ensure that the best possible policies and procedures are in place to protect the integrity of our game."

Donaghy's plea left open the possibility that others would be implicated, although there remains no indication that any other referee or player was involved. Donaghy's attorney, John Lauro, would not say whether his client would be cooperating with federal investigators.

Wearing a tan sport coat, a collarless white shirt, and a forlorn expression during a morning session before Judge Carol Amon, Donaghy, who faces up to 25 years in prison and a \$500,000 fine, was freed on \$250,000 bail. Amon restricted his movements to Pennsylvania, New York and Florida, where he now resides.

Several hours later, and eight floors below the 10th-floor courtroom where Donaghy acknowledged his guilt publicly for the first time, two of his Delaware County high school friends were arraigned on the same conspiracy charges.

James Battista, 42, of Phoenixville, and Thomas Martino, 41, of Marcus Hook, both of whom are alleged to have been gamblers, surrendered earlier yesterday at FBI offices in Manhattan. Both attended Cardinal O'Hara High School with the former referee. They also were released on \$250,000 bail each.

Prosecutors have described Battista and Martino as "low-level organized crime figures," although a lawyer for the former again scoffed at the suggestion. Yesterday's charges made no mention of that alleged connection.

The FBI's investigation began as a probe of the New York-based Gambino crime family.

During Donaghy's hearing, he made public additional details in the case that surfaced last month, leaving the NBA reeling in this summer of sports scandals.

In admitting he had wagered on games he officiated, Donaghy, 40, is believed to be the first official in major U.S. pro sports history to do so.

~~Court documents released yesterday indicated that he began betting on NBA games in 2003.~~  
He started providing gamblers with information in December and continued to do so into April of this year.

Donaghy said he spoke in code with gamblers on the telephone, giving them pregame information - such as the identity of the referees - not made available to the public.

"By having this nonpublic information, I was in a unique position to predict the outcome of NBA games," Donaghy said.

Those gamblers paid him \$2,000 when the teams they bet won, a fee that was later raised to \$5,000. As part of the agreement, Donaghy agreed to make restitution on \$30,000 he collected from gamblers, though it is possible he earned more.

Those payments, an affidavit said, came in Philadelphia, Toronto, Phoenix and Washington.

As an example of these transactions, the court documents noted a tip the referee gave the gamblers about an undisclosed game Dec. 13, 2006. That same day, Donaghy worked a 76ers-Celtics game in Philadelphia. The following day he got his payoff.

While the documents did not allege the tip involved Donaghy's game, a source familiar with the investigation said that was the case. According to the source, Boston went from 1 1/2-point favorite to a 3 1/2-point choice before betting was halted on the game. The Celtics won by 20.

Donaghy acknowledged using the money he earned from gamblers to bet on NBA games, including some he officiated.

According to the affidavit, Donaghy, who earned \$260,000 a year in his final season, was contacted by gamblers, including Martino and Battista, after he slid into gambling debt.

Donaghy, who resigned in July, was consistently rated as an above-average official, and Stern had said there was no evidence that his officiating was influenced by his betting.

Asked if Donaghy's betting was at the root of the case against him, Lauro said, "In my mind, absolutely. . . . He has a gambling problem, and he's taken steps to deal with it."

Lauro also said that his client, who is taking antidepressants and receiving counseling for his gambling problem, had received a death threat in Florida, but that he was being protected and "his safety is no longer a concern."

Still, federal marshals hustled the ex-referee in and out of a rear entrance to the courthouse yesterday, avoiding the throng of camera operators and reporters outside the building's front entrance.

"He's experiencing a great deal of remorse," said Lauro, who refused to discuss details of the case, "over the pain he's caused his family, his friends and his coworkers."

Donaghy, who played basketball and baseball at O'Hara and graduated from Villanova University in 1989, is the son of Gerry Donaghy, a respected collegiate referee.

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~~Battista and Martino, who despite the charges have not been formally indicted, arrived early~~ yesterday with their attorneys - Martino by train and Battista in the car of his attorney, Jack McMahon.

McMahon, a Center City lawyer who is the son of a longtime NBA scout and coach of the same name, said his client would plead not guilty.

"Mr. Donaghy seems to have walked away with a nice situation for himself," McMahon said. "He is the linchpin, and he seems to have worked his way into a nice situation. I don't know if that is fair."

Battista, who at one time owned a restaurant in Havertown, showed up in court wearing shorts, sneakers and an unbuttoned golf shirt. He loudly answered "I do, your honor" each

time the judge asked him if he understood the proceedings.

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### 76ers-Celtics game cited

A person close to the investigation of the NBA betting scheme that involves referee Tim Donaghy said that one of the games for which Donaghy provided inside information was the 76ers-Boston Celtics contest played Dec. 13, 2006, at the Wachovia Center.

Just before that game, the point spread moved two points - a significant swing - with Boston going from a 11/2-point favorite to a 31/2-point favorite. Boston won the game by 20 points after outscoring the Sixers, 29-19, in the third quarter.

Here are a few details of the 101-81 game:

Allen Iverson did not play. The game was the fourth of six straight games (all losses) he sat out while the Sixers were trying to trade him. With Iverson in the lineup, the Sixers likely would have scored more points.

The Sixers' Andre Iguodala was the only player to be charged with five personal fouls. No one fouled out.

Both teams took 34 free throws. The Celtics made 21, the Sixers 23.

The Sixers were called for a defensive technical foul in the second quarter.

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Watch a video on the guilty plea and read a court document outlining the case at <http://go.philly.com/donaghy>

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Contact staff writer Frank Fitzpatrick at 215-854-5068 or [ffitzpatrick@phillynews.com](mailto:ffitzpatrick@phillynews.com).

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## For ex-ref, temper takes top billing

**Donaghy has had an impact on many.**

By Mari Schaefer and Nancy Petersen

Inquirer Staff Writers



JOHN SLAVIN / Inquirer Staff Photographer

Tim Donaghy was the driving force behind a referees' clinic held at the Don Guanella School, a school for the developmentally disabled in Delaware County. He is seen here at the clinic in 2001.

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Who is Tim Donaghy?

Is he the man known by some friends to be generous and a doting father to his four daughters? Is he the man who almost singlehandedly created a referees' clinic for developmentally challenged children at a Delaware County school?

Or is Donaghy a raging madman who can't control his temper?

One thing is certain. The 40-year-old Havertown native had a gambling problem. Donaghy, a former NBA referee, pleaded guilty yesterday in New York to two felony counts in a betting scandal that has rocked the NBA.

Donaghy admitted taking cash payoffs from gamblers in return for tips about which team to

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bet on, and prosecutors said he bet on games he officiated.

"It appears he did have a gambling problem. He was a guy who was trying far too hard to provide too much for his family," said Frank G. Capece, a friend of the Donaghy family.

"I spoke to Tim last night," said Capece, an attorney from Cranfield, N.J. "It is just devastating for him, devastating for his family, devastating for his friends."

Capece, who works in Westfield, N.J., met Donaghy about 12 years ago when he recognized the NBA referee in a restaurant, and the two struck up a friendship.

Capece said the \$500,000 court fine Donaghy faces would financially ruin Donaghy, and he hopes the judge will be lenient. Donaghy is scheduled to be sentenced Nov. 9.

"My friend obviously did a bad thing," Capece said.

Capece, a longtime New Jersey Nets season-ticket holder, said he used to heckle Donaghy from his seat about his calls. He said the referee would turn and give him a big smile.

"I don't think we will see that big Irish smile again," Capece said. "I'm going to miss it."

Donaghy was looking to give back to the community 10 years ago when he contacted Robert Neely, the activities director at the Don Guanella School, a school for developmentally disabled boys. It is in Marple Township, Delaware County, next to Cardinal O'Hara, where Donaghy attended high school.

Neely said that Donaghy created a referees' clinic for the youngsters at the school that featured other NBA referees and local referees.

"He was awesome," said Neely. "He brought the kids jackets and hats."

But Neely said the referee did not return his calls this spring when he tried to contact him about this summer's clinic. A few weeks later, the story on the betting scandal became public.

West Chester realtor Kit Anstey knows a different Donaghy.

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Anstey said that Donaghy called him up "out of the blue" five or six years ago and said he wanted to buy a piece of property that wasn't for sale.

The property was in the tony golf course development of Radley Run just outside of West Chester, and Anstey was a member of the community. So Anstey helped Donaghy buy the property and find a builder for a house to be built there.

Soon, they became friends, and played golf together. Donaghy gave Anstey tickets for NBA games in Philadelphia that he refereed.

But the friendship went south in a hurry when the builder of Donaghy's house, through no fault of his own, couldn't finish Donaghy's \$500,000 home on schedule.

"He went on one of his many rampages," Anstey said. "He couldn't accept the fact that he wasn't going to get his house delivered on time.

"He was no longer a friend of mine. He sued me. . . . He sued the builder. He was just out of control. He was not a very nice person. If things don't go Tim's way, that's not good."

At the Hungry A, a sandwich shop on Sproul Road near Cardinal O'Hara, patrons lunched on hoagies and talked about Donaghy.

"If anything, it reaffirms our faith [in the system]. Sooner or later, these sorts of people get exposed," said Mike Siddons, 38, a Media attorney who attended Cardinal O'Hara for two years.

Siddons said Donaghy should be an example to others. "Otherwise there are no consequences for these types of violations," he said.

Frank Iacobucci, 50, from West Chester, said the NBA and commissioner David Stern handled the situation correctly. Stern and the NBA have said they cooperated fully with the FBI and have started their own investigation into betting issues in the league.

"Fortunately they were able to rein it in before it got too out of control," Iacobucci said.

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Contact staff writer Mari Schaefer

at 610-892-9149 or [mschaefer@phillynews.com](mailto:mschaefer@phillynews.com).

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## Blowing the whistle on himself

### Former ref admits gambling addiction, pleads guilty to two felonies

By WILLIAM BENDER

[benderw@phillynews.com](mailto:benderw@phillynews.com)



Associated Press

John Lauro, the attorney for Tim Donaghy, walks away after meeting with the media.

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BROOKLYN, N.Y. - If the first step to overcoming an addiction is recognizing you're an addict, Tim Donaghy had something of a breakthrough yesterday in Brooklyn federal court.

Appearing before Judge Carol B. Amon, the former NBA referee acknowledged that he suffers from a gambling addiction and pleaded guilty to charges of conspiring to commit wire fraud and transmit gambling information across state lines.

In doing so, he went from a top-tier ref who followed in his father's footsteps to a two-time felon who has disgraced his profession.

Donaghy, 40, faces a maximum 25 years imprisonment and \$500,000 in fines for providing confidential NBA information to bettors in exchange for kickbacks that prosecutors said ranged from \$2,000 to \$5,000 per game.

DONAGHY-2352

It is unclear exactly how much Donaghy earned through the scheme. However, as part of yesterday's agreement, he forfeited \$30,000 to the government, money prosecutors say he obtained through the gambling operation. That would seem to be a small take for a man who earned \$260,000 a year as a referee and lived in a \$1.35 million home in Bradenton, Fla.

After weeks of speculation, the Cardinal O'Hara High and Villanova graduate spoke firsthand about how he traded information for cash. It was a relatively simple scam.

James "Baba" Battista, 42, of Phoenixville, and Thomas Martino, 41, of Marcus Hook, also were charged yesterday for their alleged role in the operation, though they did not enter a plea. The three men attended O'Hara at the same time in the early 1980s.

"As a referee, I was given access to master referee schedules that included the identities of officiating crews for particular games. This information was confidential and not available to the general public," Donaghy told the judge. "I also was aware of the manner in which officials interacted with players and called games as well as the conditions of players prior to a game.

"By having this non-public information, I was in a unique position to predict the outcome of NBA games."

And make some money at the same time.

Starting in December, Donaghy said he hooked up with other gamblers and began predicting which teams would win games and cover the point spread. He said he would call in the "picks" to be placed with bookmakers, often using "coded language."

When his teams won, Donaghy got paid.

"I received cash payments for successful picks but would not lose any money if a pick did not win and cover the point spread," he said. "Some of my picks included games I had been assigned to referee."

Other professional gamblers eventually discovered what was happening. So did the FBI, when they heard Donaghy's name mentioned in wiretaps involving the Gambino crime family in New York.

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U.S. Attorney Roslynn Mauskopf said in a statement that the case "demonstrates the corrupting allure of easy money." The assistant director in charge of the FBI's New York field office, Mark Mershon, ripped Donaghy for undermining "everyone's faith in the integrity" of professional sports.

Donaghy, who told the judge he is taking antidepressants and receiving psychiatric treatment, was shielded from the media horde that began assembling outside the Brooklyn courthouse at 7 a.m. and had grown into a 30-yard gauntlet by early afternoon. He was shuttled into and out of the building through a back door while reporters gathered at the main entrance.

His attorney, John Lauro, said Donaghy had no comment, but was "relieved" to have pleaded guilty.

"He expresses a great deal of remorse and concern about the pain that he's caused his family, his friends and his co-workers," Lauro said, blaming his client's transgressions solely on his gambling addiction.

"I think he's had a severe gambling problem for a while that went untreated and unfortunately he didn't get the proper care that was needed," Lauro said. "Now he's getting that care.

"I don't think he would have been here but for the gambling problem," he added.

Lauro would not say whether Donaghy was cooperating in the federal investigation or whether he was offered a lesser sentence in exchange for his guilty plea. His sentencing is scheduled for Nov. 9, about a week into the season.

Battista and Martino were arraigned on charges of conspiring to defraud the NBA. They each face a maximum of 20 years in jail. Battista intends to plead not guilty, according to his attorney, Jack McMahon Jr. Martino's attorney, Vicki Herr, refused to say how her client would respond to the charges.

The three men are out on \$250,000 bail, with travel restrictions in place. They were all required to turn in their passports.

According to the criminal complaint against Battista and Martino unsealed yesterday, Donaghy, identified as "CS-1," began placing bets 4 years ago on NBA games, including those he officiated.

Last December, Battista and Martino met with Donaghy and asked him to provide basketball picks in exchange for \$2,000 for each correct pick, according to the complaint. The amount was soon raised to \$5,000 per game.

Martino allegedly acted as the go-between for Donaghy and Battista, accepting the picks over the phone by code. Prosecutors say Martino delivered cash payments to the referee in Phoenix, Washington and Toronto until the operation ended in April.

Neither Battista nor Martino would comment yesterday outside the courthouse, where they were bombarded by photographers as they made their way back to their cars.

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Court documents indicate that others were involved in the scheme, though no additional charges have been filed.

Assistant U.S. Attorneys Thomas Seigel and Jeffrey Goldberg are prosecuting the case.

NBA commissioner David Stern, who has labeled Donaghy a "rogue, isolated criminal," promised in a statement yesterday to "continue with our ongoing and thorough review of the league's officiating program to ensure that the best possible policies and procedures are in place to protect the integrity of our game." \*

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DONAGHY-2355

# REF SHOT CLOCK

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New York Post, Friday, August 3, 2007

nypost.com



**COURTING TROUBLE:** NBA ref Tim Donaghy's gambling scandal was exposed by The Post.

## Plea date 'a while' off: wife

By TOM LIDDY  
in West Chester, Pa.,  
SAMUEL GOLDSMITH  
in Bradenton, Fla., and  
DAN MANGAN in N.Y.

The wife of disgraced NBA referee Tim Donaghy says "it's going to be a while" before he travels to Brooklyn, where he is expected to plead guilty to federal crimes related to his gambling on hoops games.

Kim Donaghy's remarks, made to reporters staking out her home in Bradenton, Fla., supports earlier claims that federal authorities are taking their time to make sure their probe of Tim Donaghy is thorough.

That probe is examining Donaghy's connections to a betting ring in his native Pennsylvania, alleged dealings with New York mobsters, and his possibly influencing the outcomes of games he worked.

Donaghy, 40, had been expected to surrender last week in Brooklyn in the case, which has rocked the National Basketball Association. But those plans were suspended after The Post broke news of the probe, igniting a media fire-

**HOUNDED:** Donaghy's wife, Kim, with Zo Zo outside their home in Florida yesterday.

storm and prompting prosecutors to hold off on bringing Donaghy into Brooklyn federal court.

Since then, reporters have waited outside Donaghy's house, where the now-former referee has been secluded.

Occasionally, Donaghy has abruptly opened and closed his garage door, and screamed from inside the house to tease reporters.

"He's not coming out of the house. You're not going to get a statement, or a photograph," Kim Donaghy told reporters after approaching them in Linkster's, a local bar where she was playing pool with girlfriends, on Wednes-

day night. "His lawyer said, 'Don't leave the house.'"

"It's going to be a while" before Tim goes to Brooklyn, she said.

Kim has complained to friends that the media attention has forced her and her children to sleep in another house since the scandal exploded.

Her home now is for sale. Several prospective buyers toured it yesterday.

Meanwhile, The Post has learned that FBI agents investigating Tim Donaghy have asked a potential witness what he knows about three of Donaghy's pals and acquaintances.

The feds' stated interest in

those Pennsylvania residents — James Battista, Peter Ruggieri and Thomas Martino — supports reports that authorities suspect one or more of them was involved in Donaghy's betting on basketball. Their suspected roles remain unclear.

On Tuesday, FBI agents questioned for three hours a Pennsylvania man who knows Donaghy but is not suspected of being involved in the gambling.

But at the end of the interview, the G-men asked the man whether he knew Battista, Ruggieri or Martino. When he said he did not, the agents ended the interview. tom.liddy@nypost.com

WILLIAM T. FARMINGTON



## Ex-ref's pal admits part in bet scam

BY JOHN MARZULLI  
DAILY NEWS STAFF WRITER

Wednesday, April 16th 2008, 11:58 PM

A high school classmate of ex-NBA referee Tim Donaghy pleaded guilty on Wednesday to paying the disgraced basketball official thousands of dollars for insider information about which teams to bet on.

"Mr. Donaghy provided me with the name of the team he believed was a good pick," Thomas Martino admitted in Brooklyn Federal Court.

"If Mr. Donaghy's pick won, he was paid for the information," Martino said. "He was not paid if the team lost."

Defense attorney Vicki Herr, asked outside court about the ref's winning percentage, said, "He was pretty accurate."

Donaghy, 41, who pleaded guilty last year and is cooperating with the feds, was privy to nonpublic information, such as which crew would be officiating a game, the interaction between certain referees and players and the physical condition of players. He also recommended gambling on games in which he officiated.

Martino, 42, said he passed the referee's selections to co-defendant James (BaBa) Battista, who placed the bets. Battista is expected to plead guilty on Monday.

The three men attended school in Springfield, Pa.

Authorities learned of the dirty ref during an investigation of the Gambino crime family.

Martino faces 12 to 18 months when he is sentenced July 11 by Federal Judge Carol Amon. If Battista backs out of the deal, the government could decline to accept Martino's plea and both men would go to trial later this month, said Assistant U.S. Attorney Jeffrey Goldberg.

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## Newsday.com

### Another guilty plea in NBA referee betting scandal

By TOM HAYS

Associated Press Writer

April 24, 2008

NEW YORK

A professional gambler pleaded guilty on Thursday to making bets based on inside tips from disgraced NBA referee Tim Donaghy.

James Battista told a judge in federal court in Brooklyn he hatched a scheme in late 2006 with another old friend of Donaghy, Thomas Martino, to pay the referee thousands of dollars for the information while Battista was "engaged in the business of sports betting."

Battista's lawyer had notified the court last week that his client wanted to go to trial rather than plead guilty to charges of defrauding the National Basketball Association, as Martino did earlier this month. But he changed his mind after prosecutors offered a last-minute deal allowing him to instead plead guilty to a lesser charge of conspiring to make illegal bets, said the lawyer, Jack McMahon.

"He's a gambler, and he bet," McMahon said. "We never really contested that."

The deal spares Donaghy from having to testify as the government's star witness at a high-profile federal trial. It also means Battista, 42, will face only 10 to 16 months in prison at sentencing on July 11. By contrast, Martino faces 12 to 18 months.

Donaghy, of Bradenton, Fla., pleaded guilty last year to charges he conspired to engage in wire fraud and transmitted betting information through interstate commerce.

The referee said he made NBA bets for four years, even wagering on games he worked. He also admitted recommending bets to high-stakes gamblers and collecting \$5,000 if his picks hit.

Donaghy, 41, is scheduled to be sentenced May 22. By law, he faces up to 25 years in prison, though the term could be much lower under sentencing guidelines.

The three men attended high school together in Springfield, Pa.

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## Buddy of disgraced NBA referee Tim Donaghy gets better plea deal

BY JOHN MARZULLI  
DAILY NEWS STAFF WRITER

Thursday, April 24th 2008, 10:42 PM

A gambling buddy of disgraced NBA referee Tim Donaghy called the feds' bluff on the eve of trial, and won a better plea deal for himself Thursday.

James Battista, 42, copped to one count of illegal gambling after repeatedly refusing to plead guilty to wire fraud like his co-defendant Thomas Martino did a week ago.

Defense attorney James McMahon said he received a phone call from a federal prosecutor at 11:30 Wednesday night offering the new deal.

McMahon said the prosecutors were on the verge of losing a motion challenging venue in Brooklyn Federal Court and would have been forced to transfer their marquee case to authorities in Pennsylvania where the illegal betting scheme was carried out.

Donaghy admitted passing confidential information about NBA games, including games he was officiating, to Battista and Martino, who were high school classmates of his.

Battista faces 10 to 16 months in prison, but could qualify for house arrest or probation, his lawyer said.

Martino faces up to 18 months in prison and may have to pony up restitution to the NBA.

Federal Judge Carol Amon scheduled sentencing for July 11.

[jmarzulli@nydailynews.com](mailto:jmarzulli@nydailynews.com)

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The Philadelphia Daily NewsApril 25, 2008 Friday  
FINAL Edition**SECTION:** SPORTS; DN Sports; Pg. 119**LENGTH:** 340 words**HEADLINE:** Battista pleads in Donaghy betting case**BYLINE:** By WILLIAM BENDER; benderw@phillynews.com**BODY:**

It all started in Philly.

In December 2006, then-NBA referee Tim Donaghy and a couple of buddies from Cardinal O'Hara High met at Philadelphia International Airport's Marriott Hotel and launched a scheme to make some extra money.

That was the scenario laid out yesterday for a Brooklyn, N.Y., judge by Jimmy "Baba" Battista, a Phoenixville gambler who admitted to placing bets based on Donaghy's inside knowledge of the game.

"He was just getting helpful information," Battista's lawyer, Jack McMahon, said afterward.

"That's what bettors do. They look for information," he said. "That's not defrauding the NBA."

The third man involved in the betting ring, Thomas Martino, 42, of Marcus Hook, pleaded guilty to wire fraud last week and is facing 12 to 18 months in prison. He admitted to relaying basketball "picks" from Donaghy to Battista and delivering money to the referee when the picks hit.

The feds reportedly learned of the scheme last year while investigating the **Gambino** crime family.

Donaghy, a Havertown native who resigned in July after 13 years as an NBA ref, pleaded guilty the following month to gambling and wire-fraud charges. He faces up to 25 years in prison but could get a much lighter term at sentencing next month.

Battista, 43, also known as "Sheep," held out until the last minute - and it appears to have paid off. He was planning to go to trial on gambling and wire-fraud charges until Wednesday night, when federal prosecutors sweetened the pot by taking the latter charge off the table, McMahon said.

"He admitted to doing what he did, but he wasn't going to be forced into admitting something he didn't do," he said.

Assistant U.S. Attorney Jeffrey Goldberg declined to comment on the deal.

Battista faces 10 to 16 months in prison at his July sentencing. McMahon said Battista is a "family guy" who is willing to pay the price for engaging in illegal gambling, but "it's not the crime of the century."

"I think he's an excellent candidate for probation," McMahon said. \*

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The Associated Press contributed to this report.

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# NEW YORK POST

## 'FIX' REF'S GAMBLER PAL GUILTY

By STEFANIE COHEN

*April 25, 2008* -- The professional gambler who bet on basketball games with disgraced ex-NBA ref Tim Donaghy pleaded guilty to illegal gambling conspiracy charges yesterday in Brooklyn federal court.

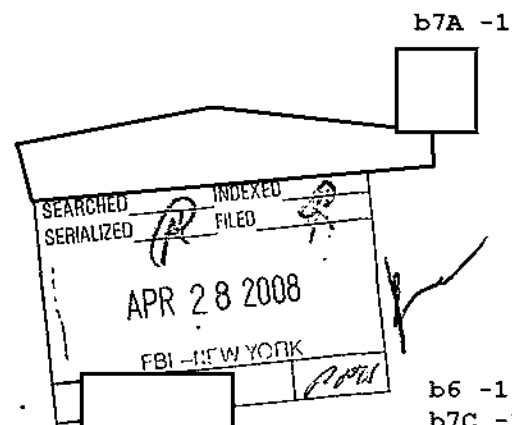
James Battista, 42, said he, Donaghy, 42, and a third man - all buddies from high school - arranged to bet on Donaghy's games during a meeting in a Pennsylvania hotel room in December 2006. Battista had heard that Donaghy built a profitable side business wagering on his own games and told his friend he wanted a piece of the action, sources said.

The three men agreed that Donaghy would give his winning "picks" to the third man, Thomas Martino, 42, before each game, and Battista would place bets with bookies. Donaghy would be paid \$5,000 for each win, according to court papers.

Battista faces between 10 and 16 months in prison, but the judge has the option of placing him under house arrest, said Battista's lawyer, Jack McMahon.

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Page 172 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 173 ~ b3 - 1;  
Page 174 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 175 ~ b3 - 1;  
Page 176 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 177 ~ b3 - 1;  
Page 178 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 179 ~ b3 - 1;  
Page 180 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 181 ~ b3 - 1;  
Page 182 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 183 ~ b3 - 1;  
Page 184 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 185 ~ b3 - 1;  
Page 186 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 187 ~ b3 - 1;  
Page 188 ~ Referral/Consult;  
Page 189 ~ Referral/Consult;  
Page 190 ~ Referral/Consult;  
Page 191 ~ Referral/Consult;  
Page 192 ~ Referral/Consult;  
Page 193 ~ Referral/Consult;  
Page 194 ~ Referral/Consult;  
Page 195 ~ Referral/Consult;  
Page 196 ~ Referral/Consult;  
Page 197 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 198 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 199 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 200 ~ b3 - 1; b6 - 2; b7C - 2;



Page 201 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 202 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 203 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 204 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 205 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 206 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 207 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 208 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 209 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 210 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 211 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 212 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 213 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 214 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 215 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 216 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 217 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 218 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 219 ~ b3 - 1; b6 - 3; b7C - 3;  
Page 220 ~ b3 - 1; b6 - 3; b7C - 3;  
Page 221 ~ Duplicate;  
Page 222 ~ Duplicate;  
Page 223 ~ Duplicate;  
Page 224 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 225 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 226 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 227 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 228 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 229 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 230 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 231 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 232 ~ b3 - 1;  
Page 233 ~ b3 - 1;  
Page 234 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 235 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 236 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 237 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 238 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 239 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 240 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 241 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 242 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 243 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 244 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 245 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 246 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 247 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 248 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 249 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 250 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 251 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 252 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 253 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 254 ~ b3 - 1; b6 - 2; b7C - 2;

Page 255 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 256 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 257 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 258 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 259 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 260 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 261 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 262 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 263 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 264 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 265 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 266 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 267 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 268 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 269 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 270 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 271 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 272 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 273 ~ b3 - 1; b6 - 3; b7C - 3;  
Page 274 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 275 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 276 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 277 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 278 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 279 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 280 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 281 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 282 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 283 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 284 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 285 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 286 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 287 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 288 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 289 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 290 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 291 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 292 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 293 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 294 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 295 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 296 ~ b3 - 1; b6 - 2, 3; b7C - 2, 3;  
Page 297 ~ b3 - 1;  
Page 298 ~ b3 - 1; b6 - 2; b7C - 2;  
Page 299 ~ b3 - 1;  
Page 300 ~ b3 - 1;  
Page 301 ~ b3 - 1;

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X Deleted Page(s) X  
X No Duplication Fee X  
X For this Page X  
XXXXXXXXXXXXXXXXXXXXXXXXX

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending) [redacted]

Title: [redacted]

Synopsis: To open a subfile for Federal Grand Jury material in this case under the subfile # [redacted]

Details: It is recommended that a subfile be opened up as a repository for all Federal Grand Jury material gathered in this investigation. The subfile will be [redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b7A -1

b7A -1

b7A -1

b6 -1  
b7C -1

UPLOADED 1/25/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 25 2007	
FBI-NEW YORK	

DONAGHY-604  
VJO

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

Details: In furtherance of the above investigation, on or about 01/16/2007, AUSA [redacted], Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted] The Subpoena sought [redacted]

[redacted] The Subpoena had a return date of [redacted]

♦♦

UPLOADED 1/25/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 23 2007	
FBI - NEW YORK	

DONAGHY-605

b7E -9  
b6 -1  
b7C -1

b7A -1

b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -2, 6  
b7C -2, 6

b7A -1

b3 -1  
b6 -1  
b7C -1

TS::ld

F. #

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK 225 CADMAN PLAZA EAST BROOKLYN, NEW YORK 11201	ROOM 478 DATE AND TIME [REDACTED]
--	--

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]


b3 -1  
b6 -2  
b7C -2

[REDACTED] Please provide this information on computer disk if possible, otherwise in hard copy. Please do not disclose the existence of this subpoena or your response thereto.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK  ROBERT C. HEINEMANN (BY) DEPUTY CLERK 	Date  01/16/07
--	----------------------

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

b6 -6  
b7C -6

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM OBD-227  
Revised 10/01/00DONAGHY-606  
\*\* TOTAL PAGE.05 \*\*

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted] *[signature]*

Drafted By: [redacted] *[signature]*

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

Details: In furtherance of the above investigation, on or about 01/11/2007, AUSA [redacted] Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted]

[redacted] The Subpoena sought [redacted]

[redacted] The Subpoena had a return date of [redacted]

♦♦

[redacted]

UPLOADED *[signature]*

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 23 2007	
FBI - NEW YORK	

DONAGHY-607

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -3, 6  
b7C -3, 6

b7A -1

b3 -1  
b6 -1  
b7C -1

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

If possible, please provide them  
in electronic form, otherwise in hard copy.IN LIEU OF APPEARANCE, YOU MAY PROVIDE THE REQUESTED INFORMATION TO SPECIAL  
AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS  
ROAD, 11<sup>TH</sup> FLOOR, KEW GARDEN, NEW YORK 11415, TELEPHONE NUMBER  
[REDACTED]☐ Please see additional information on reverseThis subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting  
on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

01/11/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.,  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-217  
Revised April 2000

\*\* TOTAL PAGE.02 \*\*

DONAGHY-608

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

Details: In furtherance of the above investigation, on or about 01/22/2007, AUSA [redacted], Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted]. The Subpoena sought [redacted]

[redacted]  
[redacted] The Subpoena had a return date of [redacted]

♦♦

UPLOADED 1/25/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 23 2007	
FBI - NEW YORK	

DONAGHY-609

b7E -9  
b6 -1  
b7C -1

b7A -1

b6 -2  
b7C -2  
b7E -8  
Pth

b3 -1

b3 -1  
b6 -2, 6  
b7C -2, 6

b7A -1

b3 -1  
b6 -1  
b7C -1



TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE	ROOM
UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK 225 CADMAN PLAZA EAST BROOKLYN, NEW YORK 11201	478
	DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

Please provide this information on computer disk if possible, otherwise in hard copy. Please do not disclose the existence of this subpoena or your response thereto.

b3 -1  
b6 -2  
b7C -2

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK	Date
ROBERT C HEINEMANN (BY) DEPUTY CLERK <i>[Signature]</i>	01/22/07

This subpoena is issued upon application of the United States of America.

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

AUSA  
ONE PIERREPONT PLAZA, 19TH FL  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227  
Revised April 2000\*\* TOTAL PAGE 02 \*\*  
DONAGHY-610

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/25/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

b7A -1

Title: [redacted]

b6 -2  
b7C -2  
b7E -8

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoena served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoenas served upon [redacted]

b3 -1

Details: In furtherance of the above investigation, on 01/24/2007, AUSA [redacted] Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted] The Subpoena sought [redacted]

b3 -1  
b6 -2, 6  
b7C -2, 6

[redacted] The Subpoena had a return date of [redacted] This Subpoena was reissued from an earlier Subpoena because [redacted] required further information.

♦♦

UPLOADED 1/30/07 pth

1-25

[redacted]	
SEARCHED	INDEXED
SERIALIZED	FILED
JAN 25 2007	
FBI - NEW YORK	
DONAGHY-635	

b7A -1

b3 -1  
b6 -1  
b7C -1

ANAL

TS:ld  
F.#

# United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all records

b3 -1

b6 -2

b7C -2

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED]).

b6 -1

b7C -1

Attached hereto is a nondisclosure order.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

01/24/07

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

b6 -6

b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227  
Revised April 2000

DONAGHY-636

RETURN OF SERVICE <sup>(1)</sup>		
RECEIVED BY SENDER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (NAME)		
SERVED BY		TITLE
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER <sup>(2)</sup>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center; width: 40%;"> <i>Date</i> </div> <div style="text-align: center; width: 60%;"> <i>Signature of Server</i> </div> </div> <div style="text-align: center; margin-top: 10px;"> <i>Address of Server</i> </div>		
ADDITIONAL INFORMATION		

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)"

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/22/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoenas served upon [redacted]

Details: In furtherance of the above investigation, on or about 01/17/2007, AUSA [redacted], Eastern District of New York, served Federal Grand Jury Subpoenas upon [redacted]. The Subpoenas all sought [redacted]

[redacted] The Subpoenas had a return date of [redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -2, 6  
b7C -2, 6

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED 1/30/07 pth

A22

SERIALIZED	FILED
JAN 25 2007	
FBI - NEW YORK	

DONAGHY-638

TS:ld  
P.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all records.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11TH FLOOR, KEW GARDENS, NY 11415 (TELEPHONE [REDACTED]).

Your are ordered not to disclose the fact that this subpoena was received, or that information was supplied in response, to any third parties, including the individual listed above.

☐ Please see additional information on reverse

*Kyle A. Thayer* 1/16/07  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. WEINEMANN

(BY) DEPUTY CLERK

01/17/07

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of A0310

FORM OBD-237  
Revised April 2000

DONAGHY-639

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all records:

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

Your are ordered not to disclose the fact that this subpoena was received, or that information was supplied in response, to any third parties, including the individual listed above.

*R. J. [Signature]* 1/16/07  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

01/17/07

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.,  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of AOT10

FORM OBD-227  
Revised April 2000

DONAGHY-640

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all records. [REDACTED]

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE [REDACTED]).

Your are ordered not to disclose the fact that this subpoena was received, or that information was supplied in response, to any third parties, including the individual listed above.

☐ Please see additional information on reverse

*Joseph M. [Signature]*  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

01/17/07

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America.

NAME ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

\*If not applicable, enter "none."

To be used in lieu of AO 10

FORM OBD-227  
Revised April 2000

DONAGHY-641



# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/26/2007

To: New York

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response [redacted]

Enclosure(s): [redacted]

Details: On or about 01/17/2007, a Subpoena was served upon

[redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

(X)  
pnh

b7A -1

b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1

b7A -1  
b3 -1  
b6 -1  
b7C -1

UPLOADED 1/30/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 23 2007	
FBI - NEW YORK	
1	pnh

DONAGHY-642

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/31/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

b7A -1

Title: [redacted]

b6 -2  
b7C -2  
b7E -8

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoena served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

b3 -1

Details: In furtherance of the above investigation, on or about 01/24/2007, AUSA [redacted], Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted]. The Subpoena sought [redacted]

b3 -1  
b6 -2, 3, 6  
b7C -2, 3, 6

The Subpoena had a return date of [redacted]

♦♦

b7A -1

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 31 2007	
FBI - NEW YORK	

b3 -1  
b6 -1  
b7C -1

UPLOADED 2/1/07 pth

DONAGHY-649

78.1d  
P.H.

## United States District Court

LEGAL COMPLIANCE

EASTERN

DISTRICT OF

NEW YORK

2007 JAN 24 AM 11:24

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please provide any and all [REDACTED]

[REDACTED] Please

provide this information on computer disk if possible, otherwise in hard

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED])☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

01/24/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

If not applicable, enter "none"

To be used in Set of AD-119

FORM 081-221  
Revised April 2000

\*\* TOTAL PAGE.23 \*\*

b3 -1  
b6 -2, 3  
b7C -2, 3b6 -1  
b7C -1b6 -6  
b7C -6

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/31/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response [redacted]

Enclosure(s): [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED

2/1/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 31 2007	
FBI NEW YORK	

DONAGHY-655

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/31/2007

To: New York

From: New York

Contact: SA [redacted] BQMRA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Information received from [redacted]  
[redacted]

Enclosure(s): [redacted]  
[redacted]

Details: On [redacted] a records Subpoena was served upon [redacted]  
[redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1

b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -3  
b7C -3

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED 2/1/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 31 2007	
NEW YORK	
[redacted] PNB	

DONAGHY-668

431

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/01/2007

To: New York

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoenas served by EDNY.

Enclosure(s): Two Grand Jury Subpoenas served upon [redacted]

Details: On or about 02/01/2007, AUSA [redacted], EDNY, served a Grand Jury Subpoena upon [redacted]

[redacted]  
[redacted] A Grand Jury Subpoena was also served upon [redacted]

[redacted]

The return dates for both Subpoenas is [redacted]

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -2, 6  
b7C -2, 6

b3 -1

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED 2/2/07 plh

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 1 2007	
FBI NEW YORK	

DONAGHY-676

TS:ld  
P.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

Please provide this

information on a computer disk if possible, otherwise in hard copy.

b3 -1  
b6 -2  
b7C -2

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED]).

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

02/01/07

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM OBD-227  
Revised 10/1/99

DONAGHY-677

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1  
b6 -2  
b7C -2

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE [REDACTED]).

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

02/01/07

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM 080-217  
Revised 09/94  
DONAGHY-678



# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/20/2007

To: New York

From: New York

[Redacted] BOMRA  
Contact: SA [Redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: [Redacted] (Pending)

b7A -1  
b6 -2  
b7C -2  
b7E -8

Title: [Redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copies of Federal Grand Jury Records Subpoenas served upon [Redacted]

b3 -1

Details: In furtherance of the above investigation, on or about 02/09/2007, AUSA [Redacted] Eastern District of New York, served the following Federal Grand Jury Subpoenas:

b6 -6  
b7C -6

[Large Redacted Area]

b3 -1  
b6 -2, 3  
b7C -2, 3

b7A -1

SEARCHED INDEXED  
SERIALIZED FILED  
FEB 20 2007  
FBI - NEW YORK  
[Redacted] [Redacted]

b6 -1  
b7C -1

DONAGHY-679

Subs served 2-09 Subser 09.wpd

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1

b6 -2, 3

b7C -2, 3

[REDACTED] Please provide this information on a computer disk if possible,  
otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED])

b6 -1

b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/09/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6

b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO 118

FORM 000-217  
Revised 10/95 DONAGHY-681

MEF:TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

on a computer disk if possible, otherwise in hard copy.

Please provide this information

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED])☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/09/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM 217  
Revised 10/01/04  
CONAGHY-682b6 -6  
b7C -6

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

b3 -1  
b6 -2, 3  
b7C -2, 3

Please provide the information on computer disk if possible, otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED]).

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/09/07

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AOT10

FORM OED-227  
Revised 1/01

DONAGHY-683

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1  
b6 -3  
b7C -3

Please provide this

information on a computer disk if possible, otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED])

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

02/09/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of A0110

FORM OBD-227  
Revised 10/01/06

DONAGHY-684

TS:zb  
BB&T510**United States District Court**

Eastern

New York

DISTRICT OF

TO:

b3 -1

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE *United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201*

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

b3 -1  
b6 -2  
b7C -2

You may comply with this subpoena by providing the requested information to Special Agent  
 Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor,  
Kew Gardens, NY 11415 (telephone: )

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

**ROBERT C. HEINEMANN**

(BY) DEPUTY CLERK

Date

February 9, 2007

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

Esq.  
One Pierrepont Plaza - E.D.N.Y.  
Brooklyn, New York 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO 110

FORM 100-127  
Revised 1-1-76

DONAGHY-685

TS:zb

ChaseMan511

**United States District Court**

Eastern

New York

DISTRICT OF

TO: [REDACTED]

b3 -1

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE *United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201*

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]  
[REDACTED]

b3 -1  
b6 -2  
b7C -2

You may comply with this subpoena by providing the requested information to Special Agent [REDACTED] Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor, Kew Gardens, NY 11415 (telephone: [REDACTED])

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

*ROBERT C HEINEMANN*

(BY) DEPUTY CLERK

Date

February 9, 2007

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] Esq.  
One Pierrepont Plaza - E.D.N.Y.  
Brooklyn, New York 11201  
[REDACTED]

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of A0370

FORM 100-1  
Revised April 2000  
MONAGHY-686

TS:zb  
GMAC513**United States District Court**

Eastern

New York

DISTRICT OF

TO: [REDACTED]

b3 -1

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1  
b6 -2  
b7C -2

You may comply with this subpoena by providing the requested information to Special Agent [REDACTED] Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor, Kew Gardens, NY 11415 (telephone: [REDACTED])

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

February 9, 2007

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] Esq.  
One Pierrepont Plaza - E.D.N.Y.  
Brooklyn, New York 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FD-101  
Revised April 2000

DONAGHY-687



TS:zb

AmerExpress509

**United States District Court**

Eastern

New York

DISTRICT OF

TO:

b3 -1

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE *United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201*

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide,

b3 -1  
b6 -2  
b7C -2

You may comply with this subpoena by providing the requested information to Special Agent  
Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor,  
Kew Gardens, NY 11415 (telephone: )

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

February 9, 2007

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

Esq.  
One Pierrepont Plaza - E.D.N.Y.  
Brooklyn, New York 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AOJ10

FORM CBD-227  
Revised April 2000

DONAGHY-688

TS:zb

JPMorgan512

**United States District Court**

Eastern

New York

DISTRICT OF

TO: [REDACTED]

b3 -1

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**

SUBPOENA FOR:

☐

PERSON

☒

DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE *United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201*

ROOM

478

DATE AND TIME [REDACTED]

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide [REDACTED]

b3 -1  
b6 -2  
b7C -2

You may comply with this subpoena by providing the requested information to Special Agent [REDACTED] Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor, Kew Gardens, NY 11415 (telephone: [REDACTED])

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

*ROBERT C. HEINEMANN*

(BY) DEPUTY CLERK

Date

February 9, 2007

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] Esq.

*One Pierrepont Plaza - E.D.N.Y.  
Brooklyn, New York 11201*

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227  
Revised April 2000

DONAGHY-689

\*\* TOTAL PAGE.10 \*\*

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/20/2007

To: New York

From: New York

[Redacted] BOMRA  
Contact: SA [Redacted]

b7E -9  
b6 -1  
b7C -1

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: [Redacted] (Pending)

b7A -1

Title: [Redacted]

b6 -2  
b7C -2  
b7E -8

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoenas served by EDNY.

Enclosure(s): Copies of Federal Grand Jury Records Subpoenas served upon [Redacted]

(1) b3 -1

Details: In furtherance of the above investigation, on or about 02/14/2007, AUSA [Redacted] Eastern District of New York, served the following Federal Grand Jury Subpoenas:

b6 -6  
b7C -6

[Redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

b7A -1

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 20 2007	
FBI - NEW YORK	
[Redacted]	PWA

b6 -1  
b7C -1  
DONAGHY-690

Subserved 2-14 subser14.wpd

TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

b3 -1  
b6 -2, 3  
b7C -2, 3

☐ Please provide this information on a computer disk if possible, otherwise in hard copy.

You may comply with this subpoena by providing the requested information to Special Agent ☐  
☐ Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor, Kew Gardens, NY  
11415 (telephone: ☐)

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/14/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

☐ AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
☐

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used to file of A0110

FORM 100-217  
Revised 10/01/00  
AGHY-692

MEP:TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1

b6 -2, 3

b7C -2, 3

[REDACTED] Please provide this information on a computer disk if possible,  
otherwise in hard copy.YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED]).

b6 -1

b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

Date

02/14/07

(BY) DEPUTY CLERK

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6

b7C -6

\*If not applicable, enter "none."

To be used in lieu of NO110

FORM NO. 10  
Revised April 2000  
DONAGHY-693

TS:ld  
F#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1

b6 -2, 3

b7C -2, 3

[REDACTED] Please provide the information on computer disk if possible,  
otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE: [REDACTED])

b6 -1

b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/14/07

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

b6 -6

b7C -6

\*If not applicable, enter "none."

The Sealed in file of AO110

FORM OBD-227  
Revised April 2000

\*\* TOTAL PAGE.11 \*\*

DONAGHY-694

MEF:TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all

b3 -1

b6 -2, 3

b7C -2, 3

Please provide this information on a computer disk if possible, otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

b6 -1

b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/14/07

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6

b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227  
Revised 10/01/04

DONAGHY-695

MEF:TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURYb3 -1  
b6 -7  
b7C -7

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all [REDACTED]

b3 -1  
b6 -2, 3  
b7C -2, 3

[REDACTED] Please provide the information on computer disk if possible, otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED]).

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

02/14/07

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]b6 -6  
b7C -6

\*If not applicable, enter "none."

To be filed in file of A0310

FORM OBD-227  
Rev. 10-99

DONAGHY-696



TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please provide any and all [REDACTED]

Please provide the information on computer disk if possible, otherwise in hard copy.

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

Date

02/14/07

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201  
[REDACTED]

\*If not applicable, enter "none."

To be used in lieu of A0110

FORM 100-1  
Revised 11/01/00

DONAGHY-697

b6 -6  
b7C -6

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/26/2007

To: New York

From: New York

Contact: SA [redacted] BOMRA

b7E -9  
b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

b7A -1  
b6 -2  
b7C -2  
b7E -8

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Information received from [redacted]

b3 -1

Enclosure(s): [redacted]

Details: On or about 02/23/2007, [redacted]

b3 -1  
b6 -2  
b7C -2

[redacted] These documents were received in response to a Grand Jury Subpoena.

♦♦

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED 3/8/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 05 2007	
FBI NEW YORK	

DONAGHY-698

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/05/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Information received from [redacted]

Enclosure(s): [redacted]

Details: On or about 03/02/2007, [redacted]

[redacted] These documents were received in response to a Grand Jury Subpoena.

♦♦

b7E -9  
b6 -1  
b7C -1

b7A -1  
b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1  
b6 -2  
b7C -2

b7A -1

b3 -1  
b6 -1  
b7C -1

UPLOADED 3/8/07 plh

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 05 2007	
FBI - NEW YORK	

DONAGHY-720

3-05

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
Civil Action# 17-CV-03081

Total Deleted Page(s) = 81

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Page 63 ~ Referral/Consult;  
Page 65 ~ Referral/Consult;  
Page 66 ~ Referral/Consult;  
Page 67 ~ Referral/Consult;  
Page 68 ~ Referral/Consult;  
Page 69 ~ Referral/Consult;  
Page 70 ~ Referral/Consult;  
Page 71 ~ Referral/Consult;  
Page 72 ~ Referral/Consult;  
Page 73 ~ Referral/Consult;  
Page 74 ~ Referral/Consult;  
Page 75 ~ Referral/Consult;  
Page 76 ~ Referral/Consult;  
Page 77 ~ Referral/Consult;  
Page 78 ~ Referral/Consult;  
Page 79 ~ Referral/Consult;  
Page 80 ~ Referral/Consult;  
Page 81 ~ Referral/Consult;  
Page 82 ~ Referral/Consult;

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Civil Action# 17-CV-03081

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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2007

To: New York

From: New York

[redacted] BQMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Documents received from [redacted]

Enclosure(s): Documents received from [redacted]

Details: On or about [redacted] a records subpoena, issued out of the Eastern District of New York, was served upon [redacted]. The subpoena sought [redacted] documents. On or about [redacted] documents in response to the subpoena were received. Attached for the file are those documents.

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b7C -1

b7A -1

b6 -2  
b7C -2  
b7E -8

b3 -1

b3 -1

b7A -1

b3 -1/  
b6 -1  
b7C -1

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FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
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Civil Action# 17-CV-03081

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# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/29/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] *PMH*

Case ID #:

[redacted] (Pending)

Title:

[redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoena served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

Details: In furtherance of the above investigation, on or about [redacted] AUSA [redacted] Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted] The Subpoena sought information related [redacted]

♦♦

UPLOADED 3/30/07 *pth*

SEE	pth	pth
SERIAL		
100-871441		
FBI NEW YORK		
[redacted]	[redacted]	<i>PMH</i>

DONAGHY-1459

b3 -1  
b6 -1  
b7C -1

MEF-TS:ld  
F.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

You may comply with this subpoena by providing the requested information to Special Agent [redacted]  
[redacted] Federal Bureau of Investigation, 80-02 Kew Gardens Road, 11<sup>th</sup> Floor, Kew Gardens, NY  
11415 (telephone: [redacted])

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[redacted] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

\*If not applicable, enter "none."

To be used in lieu of AD-118

FORM 02D-317

Revised April 2000

DONAGHY-1460  
TOTAL P.11

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/29/2007

To: New York

From: New York

b7E -9

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

b6 -1  
b7C -1

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

b7A -1  
b7E -8

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response from [redacted]

b3 -1

Enclosure(s): Subpoena response from [redacted] dated [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted]  
[redacted] On [redacted] responded by [redacted]  
providing information: [redacted]  
[redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

♦♦

[redacted] b7A -1

SEARCHED INDEXED  
SERIALIZED FILED  
MAR 29 2007  
FBI - NEW YORK  
[redacted]

DONAGHY-1461

b3 -1  
b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/29/2007

To: New York

From: New York

b7E -9

[redacted] BOMRA  
Contact: SA [redacted]

b6 -1  
b7C -1

Approved By: [redacted]

Drafted By: [redacted]

b7A -1

Case ID #: [redacted] (Pending)

Title: [redacted]

b7E -8  
[initials]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Records Subpoena served by EDNY.

Enclosure(s): Copy of Federal Grand Jury Record Subpoena served upon [redacted]

b3 -1

Details: In furtherance of the above investigation, on or about [redacted] AUSA [redacted] Eastern District of New York, served a Federal Grand Jury Subpoena upon [redacted] The Subpoena sought information related to [redacted]  
[redacted]

b3 -1  
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b7C -2, 6

♦♦

b7A -1



SEARCHED	INDEXED
SERIALIZED	FILED
MAR 29 2007	
NEW YORK	

DONAGHY-1472

b3 -1  
b6 -1  
b7C -1

TS:ld  
E.#

## United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

b3 -1

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please provide any and all

Please provide the information on computer  
disk if possible, otherwise in hard copy.

b3 -1  
b6 -2  
b7C -2

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE [REDACTED])

b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

Date

b3 -1

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

If not applicable, enter "none."

To be used in accordance with A0110

FORM OBD-227  
Revised April 2000

DONAGHY-1473

\*\* TOTAL PAGE.03 \*\*



# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/29/2007

To: New York

From: New York

[redacted] BOMRA

Contact: SA [redacted]

Approved By: [redacted] *[signature]*

Drafted By: [redacted] *[signature]*

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response.

Enclosure(s): Copy of Subpoena response received from [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted]  
[redacted] On [redacted] responded that [redacted]

♦♦

b7E -9

b6 -1  
b7C -1

b7A -1  
(X)  
P.V.H.  
b7E -8

b3 -1

b3 -1  
b6 -2  
b7C -2

b7A -1

UPLOADED 3/30/07 *pk*

SEARCHED	INDEXED
SERIALIZED <i>pk</i>	FILED <i>pk</i>
MAR 29 2007	
NEW YORK <i>pk</i>	

DONAGHY-1474

b3 -1  
b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/30/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] pth

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena served by EDNY.

Enclosure(s): Grand Jury Subpoena served upon [redacted]  
[redacted]

Details: On or about [redacted] AUSA [redacted] EDNY, served a  
Grand Jury Subpoena upon [redacted] seeking records  
with regard to [redacted]

The return date for the Subpoena was [redacted]

♦♦

[redacted]

UPLOADED 4/3/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
APR -2 2007	
NEW YORK	

DONAGHY-1477

b3 -1  
b6 -1  
b7C -1

TS:ld  
F.#

# United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

478

DATE AND TIME

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please provide any and all

b3 -1  
b6 -2, 3  
b7C -2, 3

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [REDACTED])

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

Date

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[REDACTED] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of A0110

FORM OBD-227  
Revised April 2000

DONAGHY-1478

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/30/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

b7E -9

b6 -1  
b7C -1

b7A -1

b7E -8

(X)  
PMT

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response from [redacted]

b3 -1

Enclosure(s): Subpoena response from [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted] seeking records regarding [redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

On or about [redacted]

[redacted] Attached for the file is [redacted] response.

♦♦

b7A -1

UPLOADED 4/3/07 pdh

SEARCHED [redacted] SERIALIZED [redacted] FILED [redacted]  
APR -2 2007  
FBI -NEW YORK  
[redacted] [redacted] [redacted]

DONAGHY-1479

b3 -1  
b6 -1  
b7C -1

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/04/2007

To: New York

From: New York

[redacted] BOMRA  
Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response from [redacted]

Enclosure(s): Subpoena response from [redacted] dated [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted] seeking records regarding [redacted] On or about [redacted]

[redacted]

♦♦

b7E -9

b6 -1  
b7C -1

② b7A -1  
b7E -8

b3 -1

b3 -1  
b6 -2, 3  
b7C -2, 3

b7A -1

UPLOADED 4/5/07 plh

SEARCHED	INDEXED
SERIALIZED	FILED
APR - 5 2007	
FBI NEW YORK	

DONAGHY-1481

b3 -1  
b6 -1  
b7C -1

TS:ld  
P.6

## United States District Court

EASTERN

DISTRICT OF

NEW YORK, N.Y.

TO:

SUBPOENA TO TESTIFY  
BEFORE GRAND JURY

b3 -1

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

ROOM

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

175

DATE AND TIME

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please provide any and all

b3 -1

b6 -2, 3  
b7C -2, 3YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED  
INFORMATION TO SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF  
INVESTIGATION, 80-02 KEW GARDENS ROAD, 11TH FLOOR, KEW GARDENS, NY 11415  
(TELEPHONE [REDACTED])b6 -1  
b7C -1☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

DEP.

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

This subpoena is issued upon application  
of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

AUSA  
ONE PIERREPONT PLAZA, 18TH FL.  
BROOKLYN, NEW YORK 11201

b3 -1

b6 -6  
b7C -6

If not applicable, enter "none."

Do not write in this space

FD-158 (Rev. 11-1-83)

\*\* TOTAL PAGE 34 \*\*

1.010) 06-1010000000 000 000

# FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 04/04/2007

To: New York

From: New York

[redacted] BOMRA

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (Pending)

Title: [redacted]

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

Synopsis: Subpoena response.

Enclosure(s): Copy of Subpoena response received from [redacted]

Details: On or about [redacted] a Subpoena was served upon [redacted]. On [redacted] [redacted] responded that it could not comply with the Subpoena [redacted]

♦♦

UPLOADED 4/9/07 pth

SEARCHED	INDEXED
SERIALIZED	FILED
APR -5 2007	
FBI-NEW YORK	

DONAGHY-1497

b3 -1  
b6 -1  
b7C -1

# United States District Court

EASTERN

DISTRICT OF

NEW YORK

TO:

[Redacted]

Received

## SUBPOENA TO TESTIFY BEFORE GRAND JURY

b3 -1  
b6 -7  
b7C -7

SUBPOENA FOR:

By: [Signature]

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
225 CADMAN PLAZA EAST  
BROOKLYN, NEW YORK 11201

ROOM

478

DATE AND TIME

[Redacted]

b3 -1

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):\*

Please provide any and all documents relating to [Redacted]

b3 -1  
b6 -2, 3  
b7C -2, 3

YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING THE REQUESTED INFORMATION TO SPECIAL AGENT [Redacted] FEDERAL BUREAU OF INVESTIGATION, 80-02 KEW GARDENS ROAD, 11<sup>TH</sup> FLOOR, KEW GARDENS, NY 11415 (TELEPHONE: [Redacted])

b6 -1  
b7C -1

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

ROBERT C. HEINEMANN

(BY) DEPUTY CLERK

[Signature]

Date

[Redacted]

b3 -1

This subpoena is issued upon application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

[Redacted] AUSA  
ONE PIERREPONT PLAZA, 19TH FL.  
BROOKLYN, NEW YORK 11201

b6 -6  
b7C -6

\*If not applicable, enter "none."

To be used in lieu of AO110

FORM OBD-227  
DONAGHY-1500